AN ORDINANCE REPEALING CHAPTER 24 OF THE FORT WAYNE MUNICIPAL CODE AND SUBSTITUTING AND ENACTING THEREFOR A NEW CHAPTER 24 ENTITLED "SEWERS AND SEWERAGE SYSTEM" FOR THE PURPOSE OF ADJUSTING RATES AND OTHER PROVISIONS SET FORTH THEREIN.

whereas, the Common Council now finds that the fees charged for services rendered by the Sewage Works owned and operated by the City of Fort Wayne are not sufficient to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and sufficient service and that said fees are not sufficient to pay all expenses to operate and maintain the Works; to pay interest charges on bonds or other obligations; to provide the sinking fund required for revenue bonds heretofore issued; to provide adequate money to be used as working capital; to provide adequate money for improving and replacing the Works; and to provide the amount of money sufficient to compensate the City for the property taxes that would be paid on the Sewage Works if the Sewage Works were privately owned; and,

WHEREAS, certain terms and conditions incident to the rendering of efficient and non-discriminatory service to users of the Sewage Works should be amended and revised to reflect current operating conditions; and,

WHEREAS, the City of Fort Wayne has been mandated by state and federal regulatory authorities to adopt and enforce pretreatment standards and requirements for certain of its contributing industrial users thereby causing in future periods a reduction in the strength and toxicity of effluent discharged to City sewers by said industrial users;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, as presently enacted, is repealed in its entirety and substituted therefor shall be an amended and revised Chapter 24 as attached hereto and made a part of this Ordinance.

SECTION 2. That this Ordinance be adopted after a public hearing has been held pursuant to I.C. 36-9-23-26 and duly published notice thereof pursuant to I.C. 5-3-1.

SECTION 3. That in addition to the "Annual Review of Service Charges" prescribed in Sec. 24-35 of Chapter 24 that the Sewage Works undertake a study of strength of waste discharges of its contributing industrial users for a period of one (1) year commencing July 1, 1984 for the purpose of establishing pretreatment credits which may be applicable to said industrial users. A schedule of pretreatment rate credits, if deemed to be justified in accordance with Sec. 24-35a of Chapter 24 will be presented for consideration to the Common Council no later than 90 days after June 30, 1985.

SECTION 4. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

COUNCILMAN

APPROVED AS TO FORM AND LEGALITY
THIS 22 DAY OF \_\_\_\_\_\_, 1984.

Bruce O. Boxberger, City Attorney

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#### CHAPTER 24

#### SEWERS AND SEWERAGE SYSTEM

#### Article I. General

#### Sec. 24-1. Definitions.

Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter and as used in the rules and regulations adopted by the Board of Public Works implementing the provisions of this Chapter are as set out below respectively:

- -101. "Act": the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at I.C. 13-1-4-1.
- -102. "Applicable Pretreatment Standards" Any pretreatment limit or prohibitive standard (Federal, State, and/or Local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.
- "Biochemical Oxygen Demand (BOD)" the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters, or industrial wastes under standard laboratory procedures for five days at 20° centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 138 below).
- -104. "Building (or House) Drain": that part of the lowest horizontal piping of a building drainage system that receives the discharge from soil, waste, or other drainage pipes inside the walls of the building and conveys it to a point outside the foundation wall of the building.
- -105. "Building (or House) Drain Connection": the point where the Building (or House) sewer is connected to the building drain at a location approximately three (3) feet outside the foundation wall of the building.
- -106. "Building (or House) Sewer" the pipe which is connected to the Building (or House) drain at a point 3± feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal.
- -107. "Building (or House) Sewer Connection" the point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:

- 107.1 Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.
- 107.2 Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.
- -108. "Bulk Waste" any containerized solid, liquid or gaseous substance discarded or to be discarded as worthless, defective, or of no use to the person discarding said substance.
- -109. "Chemical Oxygen Demand (COD)" a measure of the oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters, or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."
- -110. "City" the City of Fort Wayne, Indiana.
- -111. "Classification of Users"
  - 111.1 "Domestic Class User" a user discharging only normal domestic sewage, as herein defined, into the system.
  - 111.2 "Commercial Class User" a user falling within Division G of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control.
  - "Industrial Class User" a user falling within Divisions A, B, D, E, or I of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget, as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control. A user described in the divisions listed herein may be excluded if it is determined, by the City, that such user will introduce primarily segregated domestic waste or waste from sanitary conveniences. Users not listed therein may be included in this class of customer because of the production of excess strength of waste or toxics in excess of limits described hereinafter.

- -112. "Dwelling": a building, or a portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.
- -113. "Effluent" the water, together with any wastes that may be present, flowing out of a drain, sewer receptacle or outlet.
- -114. "Emergency" an unforeseen circumstance or combination of circumstances that may cause an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.
- -115. "Garbage" any solid wastes from the preparation, cooking, or dispensing of food or from the handling, storage or sale of produce.
- -116. "Ground Garbage" garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half (½) inch in any dimension.
- -117. "Industrial Wastes" any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business operation or process from the development, recovery or processing of any natural resource carried on by any person.
- -118. "Influent" the water, together with any wastes that may be present, flowing <u>into</u> a drain, sewer, receptacle or outlet.
- "Major Industrial User" a user of the City-owned treatment works that: (a) has a flow of 50,000 gallons of water or more per average work day; (b) has a flow of waste greater than 5% of the flow carried by any part of the City system receiving the waste; (c) has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307 (a) of the Federal Act; or (d) is found by the Indiana Stream Pollution Control Board, in connection with the issuance of the NPDES Permit to the City-owned treatment works receiving the waste, to have significant impact whether singularly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.
- -120. "Normal Domestic Sewage" sewage having an average daily suspended solids concentration of not more than 300 milligrams per liter, an average daily BOD concentration

of not more than 300 milligrams per liter, and an average daily phosphorus concentration of not more than 10 milligrams per liter.

- -121. "NPDES Permit" the National Pollutant Discharge Elimination System Permit issued by the Indiana Stream Pollution Control Board for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.
- -122. "Operation and Maintenance Costs" all costs direct and indirect, other than debt services including replacement costs as defined in paragraph 128, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements, and to insure long-term facilities management.
- -123. "Outlet" any outlet, natural or constructed, which is the point of final discharge of sewage or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.
- -124. "Person" any individual, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.
- -125. "pH" the logarithm (to the base 10) of the reciprocal of the hydrogen ion concentration of a solution expressed in gram-atoms per liter of solution.
- -126. "Pollutants" -
  - 126.1 "Compatible Pollutants" waste containing biochemical oxygen demand, chemical oxygen demand, suspended solids, phosphorus, pH, and fecal coliform bacteria.
  - 126.2 "Incompatible Pollutants" wastes with any pollutant that is not a compatible pollutant such as "slug load" that would cause damage to the sewage system and/or treatment plant.
- -127. "Receiving Stream" the watercourse, stream or body of water receiving the waters finally discharged from the sewage treatment plant.
- -128. "Replacement Cost" that cost, stated in current monetary values, as an operating cost which represents and measures the day-to-day consumption and attrition of physical assets in rendering service to users.
- -129. "Sanitary Sewage" sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding houses, office

buildings, factories or institutions and free from storm waters, surface water and industrial wastes.

- -130. "Service Charge" the basic assessment levied on all users of the public sewerage system for wastes which do not exceed in strength the concentration values above which a strength-of-waste surcharge will be made.
- -131. "Sewage" the water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface, and storm waters as may be present.
- -132. "Sewage Treatment Plant" or "Water Pollution Control Plant" the arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.
- -133. "Sewage Utility" or "Water Pollution Control Works" all facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewerage collection system and the sewage treatment plant, whether or not in active use.
- -134. "Sewer" a pipe or conduit for carrying sewage and other waste liquids as differentiated below:
  - "Combined or Combination Sewer" a sewer which carries storm, surface, and groundwater runoff as well as sewage.
  - 134.2 "Public Sewer" a sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the City or other public authority.
  - 134.3 "Sanitary Sewer" a sewer which carries sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.
  - 134.4 "Storm Sewer" a sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.
- -135. "Sewer Engineer" the Chief Sewer Engineer of the City or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."
- -136. "Sewerage System" the network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.

- -137. "Shall" means mandatory; "may" means permissible.
- -138. "Standard Methods" the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Water Works Association and the Water Pollution Control Federation, a copy of which is on file in the Office of the Superintendent of the Waste Water Pollution Control Plant.
- -139. "Strength-of-Waste Surcharge" the additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this Chapter.
- -140. "Superintendent" the Superintendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.
- "Suspended Solids" solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in "Standard Methods."
- -142. "Waste Surveillance Charge" a monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by metering, sampling, laboratory analysis, and/or other methods deemed necessary. Said charges are set forth in Article VII and are subject to review annually as provided in Section 24-39.
- -143. "Watercourse" a channel in which a flow of water occurs either continuously or intermittently.

### Sec. 24-2. Rules and Regulations-Board of Works Authority.

The Board of Public Works of the City shall, in accordance with the Statutes of the State of Indiana, and subject to the provisions and requirements of this Chapter, make and enforce appropriate rules and regulations for the safe, economical and efficient management and operation of the City's Sewage Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerage system; for the regulation, collection, and refunding of rates and charges for sewerage service; and for the implementation of the provisions of this chapter.

# Sec. 24-3. Requirements for Connection to Public Sewers.

- -1 No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor estop the City from charging and collecting such costs at any subsequent time.
- Notwithstanding the foregoing, the Utility may, in accordance with policies and procedures adopted by the Board of Public Works from time to time, permit an owner or occupant to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Utility of a note, mortgage, lien document or other evidence of obligation acceptable to the Utility.
- -3 All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.
- -4 Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this Ordinance.
- Sewer tap permits shall be obtained from the -5 City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

- -6 No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to a sanitary sewer of the City.
- The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains, or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.
- A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by the City that the downstream facilities of the sewage works have adequate capacity to transmit and treat the new waste loadings.
- -9 No person shall make use of a sewer tap or backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection, and may require the owner or occupant to pay or reimburse the Utility for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Article IX of this Chapter.

### Sec. 24-4. Extensions of Sewers Outside Corporate Limits.

The installation, construction, or extension of sanitary sewers by private developers or by the City outside the corporate limits of the City and the connection of said sanitary sewers into the City's sewage system from, by, to, or for properties located outside such limits is prohibited, except with the approval of the Board of Public Works by duly enacted resolution, provided that a resolution ratifying an agreement and/or contract for such construction and connection, shall be deemed to constitute such approval.

# Sec. 24-5. Connections to Sewerage System by Certain Out-of-City Properties.

Notwithstanding the provisions of Sec. 24-4, the Board of Public Works shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sanitary sewer which is part

of the City's sewerage system, when the property abuts, adjoins, or is immediately contiguous to the street, alley, or easement in which such sewer is located and provided the property owner or occupant has complied with the requirements prescribed by Sec. 24-3 of this Chapter.

#### Sec. 24-6. Enforcement

The provisions of this Chapter shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendent or any such deputy shall deem it appropriate to charge a landowner with a violation(s) of this Chapter, he shall issue to such landowner a Notice of Violation, and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1).

#### Sec. 24-7. Penalty for Violations

Any landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that such violation(s) or noncompliance continues shall constitute a separate offense.

### Sec. 24-8. Damage to City Property Prohibited.

It shall be unlawful for any unauthorized person, firm, or corporation to maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of the City sewage system or belongs to the Water Pollution Control Plant of the City.

#### Sec. 24-9 Dilution

It shall be unlawful for any person, firm, or corporation to increase the use of potable water or process water in any way, or mix separate wastestreams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable standards.

#### Sec. 24-10 Accidental Discharges

discharge of prohibited or regulated materials or substances to sewers of the City of Fort Wayne. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials must be provided and maintained at the discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and be approved by the City before construction of the facility. Review and approval of plans and operating procedures by the City shall not relieve the discharger from the responsibility to

modify its facility as necessary to meet applicable federal, state and local requirements. Dischargers shall notify the Superintendent of the -2 Water Pollution Control Plant, or his representative, immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within The notification must five (5) days of incident. include the location of the discharge, date and time of occurrence, type of waste, concentration and volume, and corrective actions taken. Any industrial user who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the Water Pollution Control Utility sewerage system in addition to the amount of any fines imposed upon the City under state or federal law. Signs must be permanently posted in conspicuous places -3 on the discharger's premises, advising employees whom to call in the event of an accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge as to the emergency notification procedures. Article II - Permitted Commercial and Industrial Wastes Sec. 24-11. Prior Approval for Certain Wastes.

Review and acceptance by the Superintendent shall be obtained prior to the discharge into the public sewers by any commercial or industrial class customer of sewage whose wastes have:

- -101 Either a BOD content greater than 300 milligrams per liter or a COD greater than 600 milligrams per liter.
- -102 A suspended solids content greater than 300 milligrams per liter.
- -103 A phosphorus content greater than 10 milligrams per liter.
- -104 Other contaminants which from either nature or quantity will: (a) interfere with the operation of any portion of the Sewage Utility; (b) pass through the treatment works or otherwise be incompatible with such works; (c) prevent the reclamation and/or recycling of municipal or industrial wastewaters and sludges.

# Sec. 24-12. Pretreatment Facilities - General

When, after making such a review, the Superintendent concludes that, before the owner discharges waste into the public sewers, the owner must modify or eliminate those constituents which would be harmful to the structures, processes, or operations of any portion of the Sewage Utility or injurious to health, then that owner shall either modify the wastes at the point of origin or shall provide and operate, at owner's expense, such preliminary treatment and processing facilities as may be deemed necessary to render owner's waste acceptable for admission into the public sewers.

### Sec. 24-13. Pretreatment Facilities - Prior Approval

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted to the City for examination and approval. No construction of such facilities shall begin until the Superintendent has given written approval. Such approval shall not exempt the person from the obligation to make further reasonable adaptations of such facilities when such adaptations prove necessary to secure the results of acceptable waste concentrations desired. The approval of proposed facilities and/or equipment by the City does not in any way guarantee that these facilities and/or equipment will function in the manner described by their constructor or manufacturer, nor shall it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.

### Sec. 24-14 Pretreatment Facilities - Operation

Where such preliminary treatment facilities are provided, they shall be maintained, continuously, in satisfactory and effective operating condition at the owner's expense and shall be subject to periodic inspection by the City. The owner shall maintain suitable operating records which shall be open to inspection by the City, and shall submit to the Superintendent such monthly summary reports of the character of the influent and effluent as the Superintendent may require. Any industry affected by a federal categorical standard shall comply with the reporting requirements of 40 CFR 403.12.

Sec. 24-15 Reserved

## Article III - Prohibited Industrial and Commercial Discharges

### Sec. 24-16. Prohibitions and Limitations

Except as hereinafter provided, no owner shall discharge or cause or permit to be discharged into the public sewer any of the following described substances, wastes, or waters:

- -101 Any liquid or vapor having a temperature greater that 140° Fahrenheit.
- -102 Any waters or wastes containing more than 100 milligrams per liter of grease, oils, fats, or waxes.

- -103 Any gasoline, benzene, naptha, fuel oil, mineral oil or any other flammable or explosive solid, liquid or gas.
- -104 Any noxious or malodorous gas or substance which either alone or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance or repair.
- -105 Any garbage that has not been properly pretreated and reduced per Sec. 24-1-116.
- -106 Any ashes, cinders, sand, mud, straw, shavings, wood, metal, glass, rags, feathers, tar, plastics, paunch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.
- Any waters or wastes having a pH less than 6.0 or greater than 10.0, or having any other corrosive property capable of causing damage or posing hazards to the structures, equipment, or personnel of the Sewage Utility.
- Any waters or wastes containing toxic substances, as defined under Section 307(b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the Sewage Treatment Plant or that will pass through the Plant into the receiving stream in amounts exceeding the standards set by federal, interstate, state or other competent authority having jurisdiction, or will prevent the disposal of the sludges by the Plant in accordance with Section 405 of said Act.
- -109 Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Regulations.
- -110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.
- -111 Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to

handle such materials at the Sewage Treatment Plant, its pumping stations, or other facilities.

- -112 Any waters or wastes containing incompatible pollutants as herein described.
- -113 Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, that will pass through the plant into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate, or local authority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules and Regulations.
- -114 Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.
- -115 The City reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the utility or in the event the user is or has been in repeated violation of this Ordinance. The City further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.

#### Sec. 24-17 Responsibility for Obstructing or Damaging Sewers

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.

#### Article IV - Control of Admissible Industrial and Commercial Wastes

#### Sec. 24-18. Submission of Data on Industrial Waste.

-1 Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industrial Waste Questionnaire, the form for

which will be furnished by the City in which he shall set out the quantity and characteristics of the wastes discharged into the City's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with utility for the purpose of discharging industrial or commercial waste shall first fill out and file with the Superintendent such a questionnaire which shall set out the actual or predicted data relating to the quantity and characteristics of the wastes to be discharged.

- -2 Any person who knowingly makes any false statement representation, or certification in any application, report, or other document required by the municipal ordinance or other applicable regulations shall, upon conviction be punished by the imposition of a civil penalty as required by local and/or state statutes.
- When special circumstances render it an unreasonable burden to comply with the time schedule determined by the Utility for the correction of any industrial waste discharge problem, an extension of time, not to exceed 90 days, may be granted by the Superintendent upon presentation in writing of an application for such relief.

# Sec. 24-19. Confidential Information.

Information and data furnished to the City by a discharger shall be made available to the public or other governmental agency without restriction unless the discharger specifically requests and is able to demonstrate as per 40 CFR 2.203 and 330 IAC 5-1.5-8 that the release of such information would divulge information, methods of production entitled to protection as trade secrets, or proprietary information of the discharger. All requests, by the discharger, for confidentiality of information shall be made in accordance to and governed by the provisions of 330 IAC 5 and 40 CFR 2.

## Sec. 24-20. Control Manholes.

Any owner who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, etc., shall be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

# Sec. 24-21 Grease and Sand Traps

Whenever the Superintendent determines that interceptors or traps are needed to protect the sewerage collection system or the Sewage Treatment

Plant from grease, oil, sand, or similar substances occurring in the user's sewage and so notifies the user, then such traps shall be promptly installed by the user, on owner's lines, at owner's expense and shall be so maintained by owner that none of such substances can be carried over into the public sewers. All traps or interceptors shall meet the City's standards as to construction, location, and installation.

### Sec. 24-22 Waste Sampling.

- Any industrial waste discharged into the public sewers shall be subject to periodic inspections and the determination of quality, quantity and character. The examination shall be made as often as the Superintendent deems it appropriate and may include the use of suitable continuously monitoring instruments, in appropriate cases. Samples shall be collected either manually or by approved mechanical devices and in such a manner as to be representative of the overall composition of the wastes.
- The installation, operation, and maintenance of the sampling facilities shall be the responsibility of the owner discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.
- -3 Where an owner's operations have security measures in force which require proper indentification and clearance before entry onto said owner's property is granted, such owner or owners shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the City shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that owner or owners shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to City personnel.

# Sec. 24-23. Waste Analysis Procedures and Charges.

Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods" or "Guidelines Establishing Test Procedures for Analysis or Pollutants," as set forth in the Code of Federal Regulations 40 CFR 136.

Charges to Users
Alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Superintendent and the User. In the event of a dispute between the Superintendent and the User as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, either party may request that the sample in

dispute be analyzed by a mutually acceptable referee whose charges shall be paid by the party requesting the analysis. Analyses made by the City at the request of the User, shall be charged to the User according to the Utility's standard work order billing procedure. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes.

- Charges to Governmental Agencies
  Analyses run by the Water Pollution Control Plant
  Laboratory for any governmental agency, or political
  sub-division of a City, County or State shall be billed
  to such agency or subdivision for direct labor and
  expenses according to the Utilities standard work order
  billing procedure. Analyses run for other agencies
  shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of
  the Superintendent the urgency of the analysis should
  have such priority.
- -3 Charges Collected
  All waste analysis charges collected under Section 24-23-1 and -2 above shall be recorded as credits to the operating costs of the Water Pollution Control Plant and a quarterly accounting thereof shall be forwarded to the Superintendent. All such charges are to be used to defray the operations and maintenance expenses incurred by the Water Pollution Control Plant in performing said analyses.

### Sec. 24-24. <u>Use of Representative Analysis</u>.

Until an adequate analysis of a representative sample of user's wastes has been obtained, the City may, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by the City, shall continue at the City's pleasure or until an adequate analysis has been made.

### Article V. Service Charges Based on Water Usage

### Sec. 24-25. Water Obtained from the City's Water Utility.

The charges made for sewerage service rendered to each lot, parcel of real estate or building having any connection with the City's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers after being used in or on the property, as the quantity is measured by the water meter or meters there in use by the City's Water Utility, except as herein otherwise provided.

### Sec. 24-26. Water Obtained from Other Sources.

Where the property obtains any part or all of the water used from sources other than the City's Water Utility, the owner or the tenant may be required by the City to install and maintain at his own expense a meter or meters acceptable to the City for the quantity of water obtained from these other sources, or the City may determine the quantity of such water by whatever means and methods it may find relevant and practicable.

### Sec. 24-27. Exempt Water - General.

Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the City to install at his own expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that actually enters the sewerage system; when appropriate, the City reserves the right to determine by whatever other means and methods it may find practicable the percentage of the property's metered water that enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served.

# Sec. 24-28. Metering of Sewage.

The City may require a person to install and maintain at his own expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if these volumes cannot otherwise be determined from the metered-water consumption records. The City shall inspect and approve such installation and no such service, once installed, shall be removed without the City's approval.

Sec. 24-29. Reserved

### Article VI. User Charges

Sec. 24-30. <u>User Volume Charges</u>.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

		/
	Clas	s of User
	Domestic	Manufacturing
Treatment	20.52	20.52
Conveyance, Collection, Billing	19.96	13.01
Capital	12.84	10.33
Pretreatment Administration		2.50
Total User Charge	53.32	46.36

#### Sec. 24-31. User Minimum Charges.

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Minimum Monthly Charge
\$ 2.66
9.40
19.17
38.52
64.04
177.87

#### Sec. 24-32. User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer	Monthly Flat	Charge (1)
	In-City	Out-City
Domestic User - Single Family Dwelling	\$5.33	\$6.39
Domestic User - Multi Family Dwelling	To be estima	ted by City
Commercial and Industrial User	To be estima	ted by City

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

## Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1	Volume Charge (cent	s per 100 cu. ft.)
	Treatment	20.52
	Capital Charge	12.88
		33.40

-2 Variable Charge (cents per 100 cu. ft.)
A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

Flat Charge
In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.

Excess Strength of Wastes Surcharge
In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	Cents Per Pound
Suspended Solids - (SS)	4.304
Biochemical Oxygen	
Demand - (BOD)	4.300
Phosphorus - (P)	41.193

-5 <u>Capital Surcharge</u>

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

-6 Other Provisions
In the event sewage received pursuant to any contract entered into under this section exceeds

any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 35-905-8, 35-928-1 and 35-928-2, 35-935-13.

#### Sec. 24-34. Bulk Waste Charges.

Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

### Sec. 24-35. Annual Review of Service Charges.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

- A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.
- -2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost

of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

### Article VII. Strength-of-Wastes Surcharge

### Sec. 24-36. Liability for Surcharge.

Each user discharging wastes into the sewerage system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

- -1 Biochemical oxygen demand of 300 milligrams per liter.
- -2 Chemical oxygen demand of 600 milligrams per liter.
- -3 Suspended solids content of 300 milligrams per liter.
- -4 Phosphorus content of 10 milligrams per liter.

### Sec. 24-37. Computation of Surcharge.

The surcharge shall be determined as follows:

The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in Section 24-36. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in Section 24-33-4. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

### Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveil-lance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.

# Sec. 24-39. Revision of Rates of Surcharge.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate of should be changed and request legislative enactment of said changes by the Common Council.

# Article VIII. Billing of Service Charges

### Sec. 24-40. Billing Period.

- Charges for sewerage service shall be computed and billed by the General Office of the City Utilities. Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.
- Billings for sewerage service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine.

### Sec. 24-41. Liability for Payment.

- Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumes responsibility for payment. Notwithstanding billing to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.
- -2 The owner of the real estate shall have the right to examine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.
- Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances, or social security number of the person being billed.

#### Sec. 24-42. First Billings.

The rates, charges and surcharges fixed in this chapter shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the City's Water Utility.

### Sec. 24-43. City Subject to Charges.

For sewerage service rendered to the City, or any department, structure or property, thereof, the City shall be subject to the same rates and charges herein established for other persons, or to rates and charges established in harmony herewith.

### Sec. 24-44. Consolidation of Accounts.

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service area composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

### Sec. 24-45. Notice of Capital Surcharge.

The City Clerk shall certify a copy of Special Ordinance No. S-233-81, enacted October 28, 1981, and all amendments thereto, heretofore or hereafter adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the City Utility Sewerage System, in those areas of said townships formerly served by sewerage systems purchased or otherwise acquired by the City Utility.

### Article IX. Delinquent Accounts

### Sec. 24-46. How Delinquencies Arise.

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

### Sec. 24-47. Collection Through Shutting Off Water Service.

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after

reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24.49 <u>List of Delinquent Fees and Penalities - Tax Duplicates - Collection</u>.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions.

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Sec. 24-51. Reserved.

# Article X. Accounting for Sewerage Service Charges

Sec. 24-52. The City Controller shall establish and maintain, for as long as user charges and surcharges are collected under the rate schedule instituted herein, accounts for the Sewage Works Improvement Fund as required by prior ordinances relating to the issuance of sewage works revenue bonds now outstanding and further in accordance with the laws of the State of Indiana relative to the deposit and disbursement of public funds.

Sec. 24-53. Severability.

- The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.
- -2 All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne of 1974 in conflict herewith are hereby repealed.

That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor and due legal publication thereof.

COUNCIL MEMBER

APPROVED AS TO FORM

AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

WR3 JOB H



BILL NO. G-84-06-22

REPORT OF THE	COMMITTEE ON	CITY UTILI	TIES	
WE, YOUR COMMITTEE ON CITY UTIL	10	WHOM WAS R		
ORDINANCE REPEALING CHAPTER 24 C				
"SEWERS AND SEWERAGE SYSTEM" FOR				OTHER
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Amendment by Don Schmidt:

Passed at Council Committee Session - July 10, 1984

Put back Sec. 24-26 Exempt water, sprinking -- and the following changes

Change date from July 1 to June 1 Change the word twice to 150% (or one-half times) Change the date from March 15 to February 15

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Sec. 24-26. Exempt Water Sprinkling.

A residential water consumer shall be billed for sewage service beginning with the billing of District 19 on or about Junel and ending with the billing District 17 on or about October 1, as follows: The monthly sewage charge shall be the lesser of a charge based on the actual or estimated water \* consumption or a charge based on 1500 the consumer's average monthly consumption during the prior bi-monthly meter reading period. This bi-monthly period begins with the reading or estimating of District 19 on or about 22 February 15. A new account without a bi-monthly meter reading period prior to the exempt water sprinkling period shall be billed the lesser of a charge based on the actual (or estimated water consumption) or a charge based on twice the minimum sewage rate during the sprinkling period. A water consumer without an actual read at the end of the exempt water sprinkling period shall. be allowed a sewer credit based on an average monthly usage as computed from the date of the Utilities' last actual read to the date of the Utilities' actual read made after the end of the exempt water sprinkling period. In no case, shall the sewage charge be less than the minimum for the water meter size installed. The provisions of this section shall not apply to any residential water consumers who use any part of their water for any commercial or industrial purpose.

'(or one half-times)

#### REVISIONS TO CHAPTER 24 MUNICIPAL ORDINANCES

The format of these revisions is as follows:

Where major deletions are made, the deleted text is set out in full and is struck through, ie struck—through. Minor changes in wording, and corrections of typographic errors, generally are not so noted, since they do not affect the sense of the ordinance. Any change in rates or requirements is however specifically noted.

All new material is set out in full. Material not new is typed without emphasis, while new material is underlined, ie., underlined.

Several of the Sections were renumbered. In some cases, sections were reworded for clarity or conciseness. Generally these changes are noted. Explanatory notes generally appear in the left margin.

The index is set out in full as a guide to determining the genesis of this revision. In the index, deleted portions are struck-through and new portions are double-struck.

Thus, in the Index the notation:

"ARTICLE II. Permitted Commercial and Industrial Wastes

Sec. 24-11 -Sec--24-12 Prior Approval for Certain Wastes"

means that the Article Heading is new, and that new Section 24-11 is derived from former Section 24-12, which bore the same title. The content of new Section 24-11 is not new.

In the Index the notation:

"Sec. 24-19 Confidential Information"

indicates that the Section is new and has no derivation in previous text.

Also, in the text, a notation is made that the proposed section was formerly numbered, viz:

"Sec. 24-44. Consolidation of Accounts \*Sec:-24-42"

DKC/c 6/28/84 REV:P:pg 1

#### CHAPTER 24

### SEWERS AND SEWERAGE SYSTEM

# ARTICLE I. In General

Sec. 24-1 Sec. 24-2 Sec. 24-3 Sec. 24-4 Sec. 24-5	Definitions. Rules and Regulations-Board of Works Author Requirements for Connection to Public Sewers Extensions of Sewers Outside Corporate Limit Connections to Sewerage System by Certain Out-of-City Properties Penalty-for-Violations Enforcement
Sec. 24-6 Sec. 24-7 Sec. 24-8 Sec. 24-9 Sec. 24-10	Penalty-for-Violations Enforcement Enforcement Penalty for Violations Prohibited Damage to City Property Prohibited Dilution Accidental Discharge

# ARTICLE II. Permitted Commercial and Industrial Wastes

Sec. :	24-12 24-13 24-14	-Sec24-14	Prior Approval for Certain Wastes Pretreatment Facilities-In General Pretreatment Facilities-Prior Approval Pretreatment Facilities-Operation Reserved.
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# ARTICLE III. Prohibited Industrial and Commercial Discharges

# ARTICLE-II.-Prohibited-Industrial-Discharges

	Sec:-24-9 Sec:-24-19	Prohibitions and Limitations Responsibility for Obstructions	
		Responsibility for Obstructing or Damaging Sewers	

# ARTICLE IV. Control of Admissible Industrial and Commercial Wastes

Sec. Sec.	24-18 24-19	Sec24-17	Submission of Data on Industrial Waste Confidential Information
Sec.	24-20	Sec:-24-18	Control Manholes
Sec.	24-21	Sec24-16	
		Sec:-24-19	Grease and Sand Traps
		Sec24-29	Waste Sampling
Sec.	24-23		Waste Analysis Procedures and Charges
266.	24-24	Sec24-21	Use of Representative Analysis

# ARTICLE V. Service Charges Based on Water Usage

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Sec.	24-26	Sec24-23	Water Obtained from Other Sources
		Sec 24-24	Exempt Water-Generally
		Sec24-25	Metering of Sewage
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		•	ARTICLE VI. User Charges
C	07. 20	Sec24-27	II II lance of
			User Volume Charges
		Sec=-24-28	User Minimum Charges
Sec.	24-32	Sec=-24-29	User Flat Charges
		Sec24-29-1	
		Sec=-24-30	Contract Customers-Unit and Other Charges
		Sec=-24-31	Bulk Waste Charges
Sec.	24-35	Sec 24-32	Annual Review of Service Charges
		ARTICLE	VII. Strength-of-Wastes Surcharge
		Sec24-33	Liability for Surcharge
Sec.	24-37	Sec24-34	Computation of Surcharge
		Sec24-35	-Rates-of-Surcharge
Sec.	24-38	Sec=-24-36	Waste Evaluation Charges .
Sec.	24-39	Sec24-37	Revision of Rates of Surcharge
			· · ·
		ARTICLE	VIII. Billing of Service Charges
Sec.	24-40	Sec24-38	Billing Period
		Sec24-39	Liability for Payment
		Sec24-40	First Billings
		Sec24-41	City Subject to Charges
		Sec24-42	Consolidation of Accounts
Sec.	24-45		Notice of Capital Surcharge
		ART	ICLE IX. Delinquent Accounts
800	24-46	Sec=-24-43	How Delinguesias Amica
			How Delinquencies Arise
sec.	24-41	Sec - 24-44	Collection Through Gutting Shutting Off
2	01 10		Water Service
	24-48		Collection Through Terminating Sewer Service
Sec.	24-49	Sec24-45	Gollection-Through-the-Tax-Buplicate
			List of Delinquent Fees and Penalties - Tax
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Sec.	24-53		Severability

#### CHAPTER 24

#### SEWERS AND SEWERAGE SYSTEM

#### Article I. General

#### Sec. 24-1. Definitions.

Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter and as used in the rules and regulations adopted by the Board of Public Works implementing the provisions of this Chapter are as set out below respectively:

- -101. "Act": the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at I.C. 13-1-4-1.
- -102. "Applicable Pretreatment Standards" Any pretreatment
  limit or prohibitive standard (Federal, State, and/or
  Local) contained in the ordinance and considered to be
  the more restrictive with which non-domestic users shall
  be required to comply.
- "Biochemical Oxygen Demand (BOD)" the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters, or industrial wastes under standard laboratory procedures for five days at 20° centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 138 below).
- "Building (or House) Drain": that part of the lowest horizontal piping of a building drainage system that receives the discharge from soil, waste, or other drainage pipes inside the walls of the building and conveys it to a point outside the foundation wall of the building.
- -105. "Building (or House) Drain Connection": the point where the Building (or House) sewer is connected to the building drain at a location approximately three (3) feet outside the foundation wall of the building.
- "Building (or House) Sewer" the pipe which is connected to the Building (or House) drain at a point 3± feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal.
- -107. "Building (or House) Sewer Connection" the point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:

- break-in tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.
- \* Deleted "joint thereto" where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.
  - "Bulk Waste" any containerized solid, liquid or gaseous substance discarded or to be discarded as worthless, defective, or of no use to the person discarding said substance. waste which may be transported.
  - "Chemical Oxygen Demand (COD)" a measure of the oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters, or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."
  - -110. "City" the City of Fort Wayne, Indiana.
  - -111. "Classification of Users"
    - 111.1 "Domestic Class User" a user discharging only normal domestic sewage, as herein defined, into the system.
    - 111.2 "Commercial Class User" a user falling within Division G of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control.
    - "Industrial Class User" a user falling within Divisions A, B, D, E, or I of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget, as currently amended and supplemented. A copy is on file in the Office of the \*Supervisor of Industrial Waste Control. A user described in the divisions listed herein may be excluded if it is determined, by the City, that such user will introduce primarily segregated domestic waste or waste from sanitary conveniences. Users not listed therein may be included in this class of customer because of the production of excess strength of waste or toxics in excess of limits described hereinafter.

\*Deleted
"Sewer Engineer"

- -112. "Dwelling": a building, or a portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.
- -113. "Effluent" the water, together with any wastes that may be present, flowing out of a drain, sewer receptacle or outlet.

"Emergency":—An—unforeseen—combination—of—circumstances—or a—combination—of—unforeseen—circumstances—which—requires—an immediate—remedy.——Said—emergency—shall—be—declared—by—the common—council—and—shall—be—limited—to—a—specific—time period:

- "Emergency" an unforeseen circumstance or combination of circumstances that may cause an imminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.
- "Garbage" any solid wastes from the preparation, cooking, or dispensing of food or from the handling, storage or sale of produce.
- "Ground Garbage" garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half (½) inch in any dimension.
- "Industrial Wastes" any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business operation or process\* from the development, recovery or processing of any natural resource carried on by any person.
  - -118. "Influent" the water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.
  - "Major Industrial User" a user of the City-owned treatment works that: (a) has a flow of 50,000 gallons of water or more per average work day; (b) has a flow of waste greater than 5% of the flow carried by any part of the City system receiving the waste; (c) has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307 (a) of the Federal Act; or (d) is found by the Indiana Stream Pollution Control Board, in connection with the issuance of the NPDES Permit to the City-owned treatment works receiving the waste, to have significant impact whether singularly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.
  - "Mormal Domestic Sewage" sewage having an average daily suspended solids concentration of not more than 300 250 milligrams per liter, an average daily BOD concentration

\* 229

of not more than \*300 milligrams per liter, and an average daily phosphorus concentration of not more than 10 milligrams per liter.

- -121. "NPDES Permit" the National Pollutant Discharge Elimination System Permit issued by the Indiana Stream Pollution Control Board for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.
- "Operation and Maintenance Costs" all costs direct and indirect, other than debt services including replacement costs as defined in paragraph 123, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements, and to insure long-term facilities management.

#### \* optimal

- -123. "Outlet" any outlet, natural or constructed, which is the point of final discharge of sewage or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.
- -124. "Person" any individual, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.
- -125. "pH" the logarithm (to the base 10) of the reciprocal of the hydrogen ion concentration of a solution expressed in gram-atoms per liter of solution.
- -126. "Pollutants" -
  - 126.1 "Compatible Pollutants" waste containing biochemical oxygen demand, chemical oxygen demand, suspended solids, phosphorus, ph, and fecal coliform bacteria.
  - 126.2 "Incompatible Pollutants" wastes with any pollutant that is not a compatible pollutant such as "slug load" that would cause damage to the sewage system and/or treatment plant.
- -127. "Receiving Stream" the watercourse, stream or body of water receiving the waters finally discharged from the sewage treatment plant.
- -123. "Replacement Cost" that cost, stated in current monetary values, as an operating cost which represents and measures the day-to-day consumption and attrition of physical assets in rendering service to users.
- "Sanitary Sewage" sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding houses, office

buildings, factories or institutions and free from storm waters, surface water and industrial wastes.

- "Service Charge" the basic assessment levied on all users of the public sewerage system for wastes which do not exceed in strength the concentration values above which a strength-of-waste surcharge will be made.
- -131. "Sewage" the water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface, and storm waters as may be present.
- -.132. "Sewage Treatment Plant" or "Water Pollution Control Plant" the arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.
- "Sewage Utility" or "Water Pollution Control Works" all facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewerage collection system and the sewage treatment plant, whether or not in active use.
- -134. "Sewer" a pipe or conduit for carrying sewage and other waste liquids as differentiated below:
  - 134.1 "Combined or Combination Sewer" a sewer which carries storm, surface, and groundwater runoff as well as sewage.
  - 134.2 "Public Sewer" a sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the City or other public authority.
  - 134.3 "Sanitary Sewer" a sewer which carries <u>sanitary</u> sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.
  - 134.4 "Storm Sewer" a sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.
- "Sewer Engineer" the Chief Sewer Engineer of the City or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."
- "Sewerage System" the network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.

- -137. "Shall" means mandatory; "may" means permissible.
- -138. "Standard Methods" the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Water Works Association and the Water Pollution Control Federation, a copy of which is on file in the Office of the Superintendent of the Waste Water Pollution Control Plant.
- -139. "Strength-of-Waste Surcharge" the additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this Chapter.
- -140. "Superintendent" the Superintendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.
- "Suspended Solids" solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in "Standard Methods."
- -142. "Waste Surveillance Charge" a monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by metering, sampling, laboratory analysis, and/or other methods deemed necessary. Said charges are set forth in Article VII and are subject to review annually as provided in Section 24-39.
- -143. "Watercourse" a channel in which a flow of water occurs either continuously or intermittently.

# Sec. 24-2. Rules and Regulations-Board of Works Authority.

The Board of Public Works of the City shall, in accordance with the Statutes of the State of Indiana, and subject to the provisions and requirements of this Chapter, make and enforce appropriate rules and regulations for the safe, economical and efficient management and operation of the City's Sewage Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerage system; for the regulation, collection, and refunding of rates and charges for sewerage service; and for the implementation of the provisions of this chapter.

## Sec. 24-3. Requirements for Connection to Public Sewers.

- No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor estop the City from charging and collecting such costs at any subsequent time.
- Notwithstanding the foregoing, the Utility may, in accordance with policies and procedures adopted by the Board of Public Works from time to time, permit an owner or occupant to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Utility of a note, mortgage, lien document or other evidence of obligation acceptable to the Utility.
- All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.
- Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this Ordinance.

Sewer tap permits shall be obtained from the City's <u>New Water and Sewer Permit Office and shall</u> be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (590.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Witer and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

\*thirty-five \*\$35.00 \*seventy-dollars \*\$70.00

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\*se<del>venty-dollar</del>s-\*\$<del>70.0</del>9-

\*Sewer-Engineer-

- No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to a sanitary sewer of the City.
- The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains, or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.
- A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by the City that the downstream facilities of the sewage works have adequate capacity to transmit and treat the new waste loadings.
- No person shall make use of a sewer tap or backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection, and may require the owner or occupant to pay or reimburse the Utility for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Article IX of this Chapter.

## Sec. 24-4. Extensions of Sewers Outside Corporate Limits.

The installation, construction, or extension of <u>sanitary</u> sewers <u>by private</u> <u>developers</u> or by the City outside the corporate limits of the City and the connection of said <u>sanitary</u> sewers into the City's sewage system from, by, to, or for properties located outside such limits is prohibited, except with the approval of the <u>Board of Public Works</u> by duly enacted <u>resolution</u>, provided that a resolution ratifying an agreement and/or contract for such construction and connection, shall be deemed to constitute such approval.

# Sec. 24-5. Connections to Sewerage System by Certain Out-of-City Properties.

Notwithstanding the provisions of Sec. 24-4, the Board of Public Works shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sanitary sewer which is part

of the City's sewerage system, when the property abuts, adjoins, or is immediately contiguous to the street, alley, or easement in which such sewer is located and provided the property owner has complied with the requirements prescribed by Sec. 24-3 of this Chapter.

#### Sec. 24-6. Enforcement

\* Sec--24-7

The provisions of this Chapter shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendent or any such deputy shall deem it appropriate to charge a landowner with a violation(s) of this Chapter, he shall issue to such landowner a Notice of Violation, and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1).

#### Sec. 24-7. Penalty for Violations

\* Sec--24-6

Any person landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof ,—be-fined-not-less-than-one-hundred-dollars-(\$100.00)-nor-more than-five-hundred-dollars-(\$500.00)-per-offense: be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that the violation (s) or noncompliance continues shall constitute a separate offense.

# Sec. 24-8. Prohibited Damage to City Property Prohibited

It shall be unlawful for any unauthorized person, firm, or corporation to maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is plant of the City sewage system or belongs to the Water Pollution Control

#### Sec. 24-9 Dilution

It shall be unlawful for any person, firm, or corporation to increase the use of potable water or process water in any way, or mix separate wastestreams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable standards.

# Sec. 24-10 Accidental Discharges

Each discharger must provide protection from accidental discharge of prohibited or regulated materials or substances to sewers of the City of Fort Wayne. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials must be provided and maintained at the discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and be approved by the City before construction of the facility. Review and approval of plans and operating procedures by the City shall not relieve the discharger from the responsibility to

- modify its facility as necessary to meet applicable federal, state and local requirements.
- Dischargers shall notify the Superintendent of the Water Pollution Control Plant, or his representative, immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within five (5) days of incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume, and corrective actions taken. Any industrial user who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the Water Pollution Control Utility sewerage system in addition to the amount of any fines imposed upon the City under state or federal law.
- Signs must be permanently posted in conspicuous places on the discharger's premises, advising employees whom to call in the event of an accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge as to the emergency notification procedures.

#### Article II - Permitted Commercial and Industrial Wastes

Sec. 24-11. Prior Approval for Certain Wastes.

\*See--24-12

Review and acceptance by the Superintendent shall be obtained prior to the discharge into the public sewers by any commercial or industrial class customer of sewage whose wastes have:

- -101 Either a BOD content greater than 300 milligrams per liter or a COD greater than 600 milligrams per liter.
- -102 A suspended solids content greater than 300 milligrams per liter.
- -103 A phosphorus content greater than 10 milligrams per liter.
- -104 Other contaminants which from either nature or quantity will: (a) interfere with the operation of any portion of the Sewage Utility; (b) pass through the treatment works or otherwise be incompatible with such works; (c) prevent the reclamation and/or recycling of municipal or industrial wastewaters and sludges.

#### Sec. 24-12. Pretreatment Facilities - General

\* Sec.-21-13-

When, after making such a review, the Superintendent concludes that, before the owner discharges waste into the public sewers, the owner must modify or eliminate those constituents which would be harmful to the structures, processes, or operations of any portion of the Sewage Utility or injurious to health, then that owner shall either modify the wastes at the point of origin or shall provide and operate, at owner's expense, such preliminary treatment and processing facilities as may be deemed necessary to render owner's waste acceptable for admission into the public sewers.

# Sec. 24-13. Pretreatment Facilities - Prior Approval \*Sec.-24-14

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted to the City for examination and approval. No construction of such facilities shall begin until the Superintendent has given written approval. "with the Such approval shall not exempt the person from the obligation to make approval offurther reasonable adaptations of such facilities when such adaptations the Board prove necessary to secure the results of acceptable waste concentrations desired. The approval of proposed facilities and/or equipment by the City does not in any way guarantee that these facilities and/or equipment will shall it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended

# Sec. 24-14 Pretreatment Facilities - Operation \* Sec. 24-15

Where such preliminary treatment facilities are provided, they shall be maintained, continuously, in satisfactory and effective operating condition at the owner's expense and shall be subject to periodic inspection by the City. The owner shall maintain suitable operating records which shall be open to inspection by the City, and shall submit to the Superintendent such monthly summary reports of the character of the influent and effluent as the Superintendent may require. Any industry affected by a faderal categorical standard shall comply with the reporting requirements of 40 CFR 403.12.

#### Sec. 24-15 Reserved

# Article III - Prohibited Industrial and Commercial Discharges

# Sec. 24-16. Prohibitions and Limitations \* Sec. -24-9

Except as hereinafter provided, no owner shall discharge or cause or permit to be discharged into the public sewer any of the following described substances, wastes, or waters:

- -101 Any liquid or vapor having a temperature greater that 140° Fahrenheit.
- -102 Any waters or wastes containing more than 100 milligrams per liter of grease, oils, fats, or waxes.

- -103 Any gasoline, benzene, naptha, fuel oil, mineral oil or any other flammable or explosive solid, liquid or gas.
- -104 Any noxious or malodorous gas or substance which either alone or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance or repair.
- -105 Any garbage that has not been properly pretreated and reduced per Sec. 24-1-116.
- Any ashes, cinders, sand, mud, straw, shavings, wood, metal, glass, rags, feathers, tar, plastics, paunch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.
- -107 Any waters or wastes having a pH less than 6.0 or greater than 10.0, or having any other corrosive property capable of causing damage or posing hazards to the structures, equipment, or personnel of the Sewage Utility.
- Any waters or wastes containing toxic substances, as defined under Section 307(b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the Sewage Treatment Plant or that will pass through the Plant into the receiving stream in amounts exceeding the standards set by federal, interstate, state or other competent authority having jurisdiction, or will prevent the disposal of the sludges by the Plant in accordance with Section 405 of said Act.
- -109 Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Regulations.
- -110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.
- -111 Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to

- handle such materials at the Sewage Treatment Plant, its pumping stations, or other facilities.
- -112 Any waters or wastes containing incompatible pollutants as herein described.
- Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, that will pass through the plant into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate, or local authority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules and Regulations.
- -114 Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.
- revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the utility or in the event the user is or has been in repeated violation of this Ordinance. The City further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.

# Sec. 24-17 Responsibility for Obstructing or Damaging Sewers \* Sec. 24-10

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.

Sec:-24-11:-Special-agreements:

Notwithstanding-any-other-provisions-of-this-chapter; the city-may-enter-into-a-special-agreement-or-arrangement between—the-city-and-any-person—whereby-an-industrial waste-of-unusual-strength-or-character-may-be-accepted-by the--city--for--treatment--either--with--or--without pretreatment; -provided-there-is-no-impairment-of-the functioning-of-the-sewage-utility-by-reason-of-the admission-of-such-wastes-and-no-extra-costs-are-incurred by-the-city-without-recompense-by-such-person.

# Article IV - Control of Admissible Industrial and Commercial Wastes \*Sec. 24-17 Sec. 24-18. Submission of Data on Industrial Waste.

Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industrial Waste Questionnaire, the form for

which will be furnished by the City in which he shall set out the quantity and characteristics of the wastes discharged into the City's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with utility for the purpose of discharging industrial or commercial waste shall first fill out and file with the Superintendent such a questionnaire which shall set out the actual or predicted data relating to the quantity and characteristics of the wastes to be discharged.

- Any person who knowingly makes any false statement representation, or certification in any application, report, or other document required by the municipal ordinance or other applicable regulations shall, upon conviction be punished by the imposition of a civil penalty as required by local and/or state statutes.
- when special circumstances render it an unreasonable burden to comply with the time schedule determined by the Utility for the correction of any industrial waste discharge problem, an extension of time, not to exceed 90 days, may be granted by the Superintendent upon presentation in writing of an application for such relief.

#### Sec. 24-19. Confidential Information.

Information and data furnished to the City by a discharger shall be made available to the public or other governmental agency without restriction unless the discharger specifically requests and is able to demonstrate as per 40 CFR 2.203 and 330 IAC 5-1.5-8 that the release of such information would divulge information, methods of production entitled to protection as trade secrets, or proprietary information of the discharger. All requests, by the discharger, for confidentiality of information shall be made in accordance to and governed by the provisions of 330 IAC 5 and 40 CFR 2.

#### Sec. 24-20. Control Manholes.

\*Sec:-24-18-

Any owner who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, etc., shall be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

#### Sec. 24-21 Grease and Sand Traps

\* Sec-24-16-

Whenever the Superintendent determines that interceptors or traps are needed to protect the sewerage collection system or the Sewage Treatment

Plant from grease, oil, sand, or similar substances occurring in the user's sewage and so notifies the user, then such traps shall be promptly installed by the user, on owner's lines, at owner's expense and shall be so maintained by owner that none of such substances can be carried over into the public sewers. All traps or interceptors shall meet the City's standards as to construction, location, and installation.

#### Sec. 24-22 Waste Sampling.

#### \* Sec - 24-10-

- Any industrial waste discharged into the public sewers shall be subject to periodic inspections and the determination of quality, quantity and character. The examination shall be made as often as the Superintendent deems it appropriate and may include the use of suitable continuously monitoring instruments, in appropriate cases. Samples shall be collected either manually or by approved mechanical devices and in such a manner as to be representative of the overall composition of the wastes.
- The installation, operation, and maintenance of the sampling facilities shall be the responsibility of the owner discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.
- Where an owner's operations have security measures in force which require proper indentification and clearance before entry onto said owner's property is granted, such owner or owners shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the City shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that owner or owners shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to City personnel.

# Sec. 24-23. Waste Analysis Procedures and Charges. \* Sec. 24-20

Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods" or "Guidelines Establishing Test Procedures for Analysis or Pollutants," as set forth in the Code of Federal Regulations 40 CFR 136.

Charges to Users
Alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Superintendent and the User. In the event of a dispute between the Superintendent and the User as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, either party may request that the sample in

dispute be analyzed by a mutually acceptable referee whose charges shall be paid by the party requesting the analysis. Analyses made by the City at the request of the User, shall be charged to the User according to the Utility's standard work order billing procedure. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes.

Analyses run by the Water Pollution Control Plant Laboratory for any governmental agency, or political sub-division of a City, County or State shall be billed to such agency or subdivision for direct labor and expenses according to the Utilities standard work order billing procedure. Analyses run for other agencies shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the analysis should have such priority.

All waste analysis charges collected under Section 24-23-1 and -2 above shall be recorded as credits to the operating costs of the Water Pollution Control Plant and a quarterly accounting thereof shall be forwarded to the Superintendent. All such charges are to be used to defray the operations and maintenance expenses incurred by the Water Pollution Control Plant in performing said analyses.

Sec. 24-24. Use of Representative Analysis. \* Sec. 24-21

Until an adequate analysis of a representative sample of user's wastes has been obtained, the City may, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by the City, shall continue at the City's pleasure or until an adequate analysis has been made.

## Article V. Service Charges Based on Water Usage

Sec. 24-25. Water Obtained from the City's Water Utility. \* Sec. 24-22-

The charges made for sewerage service rendered to each lot, parcel of real estate or building having any connection with the City's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers after being used in or on the property, as the quantity is measured by the water meter or meters there in use by the City's Water Utility, except as herein otherwise provided.

Sec. 24-26. Water Obtained from Other Sources.

\* Sec--24-23

Where the property obtains any part or all of the water used from sources other than the City's Water Utility, the owner or the tenant may be required by the City to install and maintain at his own expense a meter or meters acceptable to the City for the quantity of water obtained from these other sources, or the City may determine the quantity of such water by whatever means and methods it may find relevant and practicable.

Sec. 24-27. Exempt Water - General.

\* Sec -- 24-24-

Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the City to install at his own expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that actually enters the sewerage system; when appropriate, the City reserves the right to determine by whatever other means and methods it may find practicable the percentage of the property's metered water that enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served.

Sec. 24-28. Metering of Sewage.

\* Sec.-24-25-

The City may require a person to install and maintain at his own expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if these volumes cannot otherwise be determined from the metered-water consumption records. The City shall inspect and approve such installation and no such service, once installed, shall be removed without the City's approval.

Sec. 24-29. Reserved

#### See. 21 26. Exempt water, sprinkling .-

- A residential water-consumer shall be billed for sewage service beginning with the billing of District 19 on or about Taly I and ending with the billing of District 17 on or about --October 1, as follows: The monthly sewage charge shall be --the-lesser of a charge based on the actual or estimated water consumption or a charge based on twice the consumer's -average monthly consumption during the prior bi-monthlymeter reading period. This bi-monthly period begins with the reading or estimating of District 19 on or about March The .--15: A new account without a bi-monthly meter reading -period prior to the exempt water sprinkling period shall be billed the lesser of a charge based on the actual (or -estimated) water consumption or a charge based on twice the minimum sewage rate during the sprinkling period. A water consumer without an actual reading at the end of the exempt water sprinkling period shall be allowed a sewer credit based on an average monthly usage as computed from the date of the utilities' last actual reading to the date of the utilities' actual reading made after the end of the exempt water sprinkling period. In no case shall the sewage charge be less than the minimum for the water meter size installed. The provisions of this section shall not apply to any residential water consumers who use any part of their water for any commercial or industrial purpose. (Ord. No. C-14-80, § 1, 7-22-80, Ord. No. G-22-82, § 1, 8-24-82)

#### Article VI. User Charges

Sec. 24-30. <u>User Volume Charges</u>.

\* Sec. 24 27

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

# Service Charge (cents per 100 cu. ft.)

		Class of	User	
	Domestic		Manufacturing	
Treatment	New	Old .	New	Old
	20.52	18.74	20.52	18.74
Conveyance, Collection, Billing Capital	19.96	18.23	13.01	11.88
Pretreatment Administration	12.84	11.73	10.33	8.88
recreatment administration		0_	2.50	0-
Total User Charge	53.32	48.70	46.36	39.50

Sec. 24-31. User Minimum Charges. \* Sec. 24-28-

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size	Minimum Monthly Charge	
5/8 - 3/4" 1 - 1½" 2" 3" 4"	New \$ 2.66 9.40 19.17 38.52 64.04	Old 2.43 8.58 17.51 35.18
6" or larger	177 07	58.48

Sec. 24-32. <u>User Flat Charges</u>. \* Sec. 24-29

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer	Monthly Flat Charge (1)
Domestic User - Single Family Dwelling Domestic User - Multi Family Dwelling Commercial and Industrial User	In-City Out-City \$5.33 4.87 \$6.39 5.84  To be estimated by City  To be estimated by City

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (b) years after the due date of the billing sought to be adjusted.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1	Volume Charge (cent	s per 100 cu. ft.)	Old
	Treatment	20.52	18.74
	Capital Charge	12.88	11.76
		33.40	30.50

- -2 Variable Charge (cents per 100 cu. ft.)
  A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.
- Flat Charge
  In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.55 of \$.60 and a monthly surveillance charge of Old \$82.20 \$90.00.
  - Excess Strength of Wastes Surcharge
    In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	Cents Per Pound	Old
Suspended Solids - (SS)	4.304	3.931
Biochemical Oxygen		
Demand - (BOD)	4.300	3.926
Phosphorus - (P)	41.193	37.619

#### -5 Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

-6 Other Provisions
In the event sewage received pursuant to any contract entered into under this section exceeds

any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.-

## Sec. 24-34. Bulk Waste Charges.

#### \* Sec - 24 31

Industrial

Note: Charge was \$163.00 per load on City vehicles

Domestic -

Note: was \$ 23.85

For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load.\* For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.

For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

## Sec. 24-35. Annual Review of Service Charges.

\* Sec.-24-32

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

- A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.
- Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost

of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

# Article VII. Strength-of-Wastes Surcharge

Sec. 24-36. Liability for Surcharge.

\* Sec .- 24-33-

Each user discharging wastes into the sewerage system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

- -1 Biochemical oxygen demand of 300 milligrams per liter.
- Chemical oxygen demand of 600 milligrams per liter. -2
- Suspended solids content of 300 milligrams per liter. -3
- Phosphorus content of 10 milligrams per liter.

Sec. 24-37. Computation of Surcharge.

\* Sec--24-34

The surcharge shall be determined as follows:

The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in Section 24-36. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in Section 24-33-4. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

Sec. 24-38. Waste Evaluation Charges

\* Sec.-24-36

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per \*\$82.20discharge point.

This section was deleted. Its contents are included in new Sec. 24-33-4

## Sec. 24-85: Rates of surcharge.

The rate of surcharge for each of the aforementioned constituents shall be as follows:

	Cents per pound
(a) For biochemical oxygen demand (B)	<del>9D)3:931</del>
(b) For suspended solids (SS),	3.026
(c) For phosphorus (P)	37.619
(Ord. No. G-14-80, § 1, 7-22-80; Ord. No. S-Ord. No. G-22-82, § 1, 8-24-82)	92-82, § 1, 5-25-82;

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate of should be changed and request legislative enactment of said changes by the Common Council.

#### Article VIII. Billing of Service Charges

#### Sec. 24-40. Billing Period.

\* Sec:-24-39

for clarity. The meaning is essentially the same.

- Charges for sewerage service shall be computed and billed by the General Office of the City Utilities. Note: This Section was reworded Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.
  - -2 Billings for sewerage service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine.

## Sec. 24-41. Liability for Payment.

\* Sec--24-39--

for clarity. The meaning is essentially the same.

Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumes responsibility for payment. Notwithstanding billing Note: This Section was reworded to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.

> The owner of the real estate shall have the right to examine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

Note: This is a new -3 paragraph designed to protect the confidentiality of financial data the Utility obtains. While other state or federal statutes may require or permit it, the Utility does not want this Section to appear to grant access.

Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect. examine or otherwise obtain confidential information including the income, employment, finances. or social security number of the person being billed.

Sec. 24-42. First Billings.

\* Sec.-24-40

The rates, charges and surcharges fixed in this chapter shall extend to and portion of cover any additional premises hereafter served, without hearing or notice. Sec 24-40 If the first billing to a new user covers a period other than a full was incor- billing month, then the charges for sewerage service for such billing shall porated in be made in accordance with standard practice employed by the City's Water Sec.24-40 Utility.

> Sec. 24-43. City Subject to Charges. \* Sec--24-41

For sewerage service rendered to the City, or any department, structure or property, thereof, the City shall be subject to the same rates and charges herein established for other persons, or to rates and charges established in harmony herewith.

Sec. 24-44. Consolidation of Accounts. \* Sec - 24-42

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service area composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

Sec. 24-45. Notice of Capital Surcharge.

The City Clerk shall certify a copy of Special Ordinance No. S-232-31 enacted October 28, 1981, and all amendments thereto, heretofore or bageafter adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the City Utility Sewerage System, in those areas of said townships formerly served by sewerage systems purchased or otherwise acquired by the City Utility.

## Article IX. Delinquent Accounts

Sec. 24-46. How Delinquencies Arise. \* Sec: 24-43-

Reworded to refer to Indi-

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, ana Code attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

> Sec. 24-47. Collection Through Shutting Off Water Service. \* Sec--24--4-

> where the property having a delinquent account for charges for severage service is served by the City's Water Utility, the Utility may, after

\* Deleted: mailing a written notice at least 10 days in advance and to the property owner if identifiable"

reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

List of Delinquent Fees and Penalities - Tax Duplicates -Sec. 24.49 Collection.

to Simplify Indiana Code sets out the procedure.

Note: Reworded Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

> Sec. 24-50. Collection Through Court Actions. \* Sec .- 24-46

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Sec. 24-51. Reserved.

# Article X. Accounting for Sewerage Service Charges

\* See -- 24-47 Sec. 24-52. The City Controller shall establish and maintain, for as long as user charges and surcharges are collected under the rate schedule instituted herein, accounts for the Sewage Works Improvement Fund as required by prior ordinances relating to the issuance of sewage works revenue bonds now outstanding and further in accordance with the laws of the State of Indiana relative to the deposit and disbursement of public funds.

Sec. 24-53. Severability. \*NEW\*

- The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.
- -2 All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne of 1974 in conflict herewith are hereby repealed.

That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor and due legal publication thereof.

COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

WR3 JOB H



Report on Revisions to Chapter 24 Fort Wayne Municipal Code

> Public Hearing July 10, 1984

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#### LETTER OF TRANSMITTAL

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EXHIBIT C	_	Summary of Proposed Rate Changes to Chapter 24, Fort Wayne Municipal Code
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SCHEDULE E-1	_	Detail of Adjustments to Pro Forma Statement of Net Revenues and Coverage
EXHIBIT F	_	Comparison of Residential User Charges

Board of Public Works Common Council City of Fort Wayne, Indiana Dear Gentlemen and Mesdames:

Wayne Municipal Code and in accordance with the general rate revision provisions of the We have been employed by the City's Water Pollution Control Utility to undertake the annual review of its rates and charges pursuant to Chapter 24 of the Fort bond ordinances relating to outstanding revenue bonds of the Utility.

In the course of our study and review we have examined books and records of formal opinion in respect of the financial statements of the Utility exhibited herethe Utility and other supplemental operating data. Our examination was not made in accordance with generally accepted auditing standards and accordingly we express no

lines prescribed by the U.S. Environmental Protection Agency. Further, in our opinion, Common Council subject to a public hearing scheduled for July 10, 1984 are reasonable, the Common Council with the financial basis for making findings to approve the sewage the accompanying exhibits and schedules support our foregoing conclusion and provide non-discriminatory and sufficient pursuant to prevailing Indiana statutes and guide-In our opinion, the revised rates and charges now being considered by the rate revisions now being proposed.

Respectfully submitted,

MUNICIPAL CONSULTANTS, INC.

Bernard T. Perry

Consultants, Inc.

Municipal

Suite 1251 - South Tower One Merchants Plaza Indianapolis, Indiana 46204 (317) 635-3442

Suite 112 235 South Maitland Avenue Maitland, Florida 32751 (305) 644-1068

# Comparative Statement of Financial Position As of December 31,

	1983	1982
ASSETS AND OTHER DEBITS		
Utility Plant Utility Plant in Service Less: Accumulated Depreciation Total Utility Plant	\$ 135,138,142 (20,246,131) 114,892,011	\$ 115,501,323 (17,924,884) 97,576,439
Construction Work in Progress	1,631,784	15,146,156
Net Utility Plant	116,523,795	112,722,595
Bond & Interest Sinking Fund	2,660,743	2,285,519
Current and Accrued Assets  Cash and Temporary Cash Investment  - O&M, Depreciation  - Construction Account  Accounts Receivable  Accumulated Provision for Uncollectible Accounts  Materials and Supplies  Prepayments  Interest Receivable  Total Current and Accrued Assets	4,987,362 1,264,408 4,233,194 (39,456) 43,051 30,732 23,133	1,564,578 4,606,288 4,134,329 (27,623) 58,038 29,898 21,729 10,387,237
Deferred Debits Miscellaneous Deferred Debits	196,827	226,019
TOTAL ASSETS AND OTHER DEBITS	\$ 129,923,789	\$ <u>125,621,370</u>

Comparative Statement of Financial Position As of December 31,

	1983	1982
LIABILITIES AND OTHER CREDITS		
Equity of Municipality		
Equity of Municipality	\$ 8,642,700	\$ 8,642,700
Contributions In Aid of Construction	92,249,097	87,090,581
Retained Earnings	7,656,381	7,002,933
Total Equity of Municipality	108,548,178	102,736,214
Long-Term Debt Revenue Bonds Outstanding	17,085,000	17,545,000
Current and Accrued Liabilities Notes Payable Accounts Payable Due to Other Funds Miscellaneous Current and Accrued Liabilities Accrued Bond Interest Payable	547,888 952,826 549,478 68,554 665,428	664,449 760,488 2,315,692 115,977 636,970
Total Current and Accrued Liabilities	2,784,174	4,493,576
Deferred Credits - Federal and State Grants and Reserves	1,506,437	846,580
TOTAL LIABILITIES AND OTHER CREDITS	\$ 129,923,789	\$ 125,621,370

Comparative Statement of Net Revenues and Coverage Years Ending December 31,

	1983	1982
Revenues Operating Revenues Interest Income Other Revenues Total Revenues	\$ 6,519,905 762,750 357,816 7,640,471	\$ 6,342,172 881,500 57,568 7,281,240
Operating Expenses & Taxes Operation & Maintenance Expense Taxes - Other Authorities Civil City Tax Payments Flood Loss Costs Total Operating Expenses & Taxes	3,823,791 181,212 494,474 -0- 4,499,477	3,721,052 209,317 500,228 443,157 4,873,754
Net Revenues	3,140,994	2,407,486
Debt Service:     Principal     Interest  Total Debt Service	460,000 1,517,762 1,977,762	435,000 1,141,951 1,576,951
Coverage (1)	\$ <u>1,163,232</u>	\$830,535

<sup>(1)</sup> Available for extensions, improvements and additions to depreciation cash reserves.

Summary of Proposed Rate Changes to Chapter 24, Fort Wayne Municipal Code

Rates - Residential	Present Rates	Proposed Rates	% Increase
Billing Determinant (cents per 100 cu. f	t.)		
Treatment Conveyance, Collection, Billing Capital	18.74 18.23 11.73	20.52 19.96 12.84	9.5 9.5 <u>9.5</u>
Total User Charge	48.70	53.32	9.5
Minimum Charges - Per Month			
5/8" - 3/4" meter 1" - 1 1/2" meter	\$ 2.43 8.58	\$ 2.66 9.40	9.5 9.5
Flat Charges - Per Month			
Single Family - In-City - Out-City	\$ 4.87 5.84	\$ 5.33 6.39	9.5 9.5
Rates - Industrial			
Billing Determinant (cents per 100 cu. f	t.)		
Treatment Conveyance, Collection, Billing Capital Pretreatment - Capital (1) - Administration (1)	18.74 11.88 8.88 -0- -0-	20.52 13.01 9.72 .61 _2.50	9.5 9.5 9.5 -0- -0-
	39.50	46.36	11.7
(1) To defray City's costs relating to	Industrial Pretro	eatment Program.	
Other Industrial Charges			
Billing Charge - Per Bill Surveillance Charge - Per Month	\$ .55 82.50	\$ .60 90.00	9.1 9.1

Summary of Proposed Rate Charges to Chapter 24, Fort Wayne Municipal Code

#### Other Ordinance Rate Provisions

- 1. There is <u>no</u> increase in the Capital Surcharge being paid by former Inbalco customers.
- 2. The summer sewer billing adjustment is repealed.
- 3. All contract customer rates have been increased approximately 9.5%.
- 4. Bulk waste charges have been increased approximately 9.5%.

Summary of Proposed Non-Monetary Changes to Chapter 24, Fort Wayne Municipal Code

- 1. The Utility will be directed to undertake a special study for the year beginning July 1, 1984 to determine if industrial pre-treatment credits are justified and the appropriate criteria for calculation of any such credits.
- 2. An industrial surveillance and pre-treatment program is enacted pursuant to federal and state regulations and charges are fixed, per Exhibit C, to pay for administration of such program.
- 3. The procedures for financing customer connections by deferred payment plans are formalized.
- 4. Sewer tap inspections by the Utility are made a pre-condition of connection to the City's sewage system.
- 5. Penalty for code violations, pursuant to conviction therefor under Indiana law, is increased to \$1,000.
- 6. Prohibits acceptance of industrial waste having strengths and toxicity in excess of EPA approved limits.
- 7. Provides for confidentiality of customers' personal credit and financial data and for trade secrets which might be disclosed from City's records relating to a user's industrial waste discharges.
- 8. Authorizes disconnection for non-payment; limits period of liability for billing errors of Utility to six (6) years.
- 9. Requires City Clerk to serve notice through County Recorder's office of real property subject to collection of any capital surcharge imposed by Utility.

# FORT WAYNE WATER POLLUTION CONTROL UTILITY

Pro Forma Statement of Net Revenues and Coverage at Proposed Rates

	Year Ended December 31, 1983	Adj <u>DR</u>	ustments <u>CR</u>	Pro Forma
Revenues Operating Revenues Interest Income Other Revenues Total Revenues	\$ 6,519,905 762,750 357,816 7,640,471	\$\frac{166,000}{166,000}	(1) \$ 647,391 (2)	\$ 7,167,296 762,750 191,816 8,121,862
Operating Expenses & Taxes Operation & Maintenance Expense Taxes - Other Authorities Civil City Tax Payments	3,823,791 181,212 494,474	410,000	(3)	4,233,791 181,212 494,474
Total Operating Expenses & Taxes	4,499,477	410,000		4,909,477
Net Revenues	3,140,994			3,212,385
Debt Service - Revenue Bonds	1,977,762	9,648	(4)	1,987,410
Coverage (1)	\$ 1,163,232			\$ <u>1,224,975</u>

<sup>(1)</sup> Available for extensions, improvements and additions to depreciation cash reserves.

#### FORT WAYNE WATER POLLUTION CONTROL UTILITY

Detail of Adjustments to Pro Forma Statement of Net Revenues and Coverage

DR CR

(1)

Operating Revenues

\$ \$ 647,391

To increase revenues for proposed increased rates and for additional charge to industrial users for pre-treatment monitoring.

(2)

Other Revenues

166,000

To reduce revenues for non-recurring interdepartmental income.

(3)

Operation and Maintenance Expense

410,000

To provide for additional operating costs as follows:

Pre-treatment Budget \$ 130,000
Energy Cost Increases 130,000
Other Cost Increases
@5% of O&M Costs 150,000

\$ 410,000

(4)

Debt Service

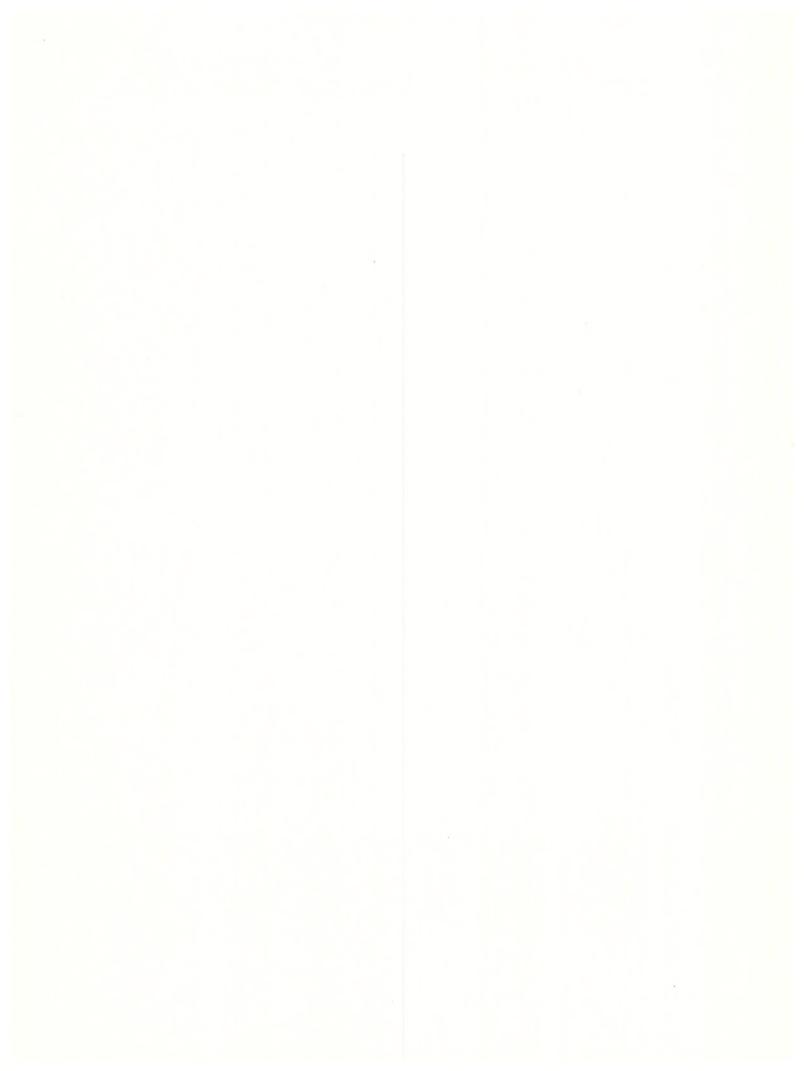
9,648

To adjust for 1984 debt service.

### FORT WAYNE WATER POLLUTION CONTROL UTILITY

Comparison of Residential User Charges (80% - 100% Revenue Supported)

	Average Annual One Family Residential	Annual Residential Minimum
Out of State Cities		
Little Rock, Arkansas	80.64	33.60
Atlanta, Georgia	140.00	-0-
Kalamazoo, Michigan	120.00	43.80 102.00
Buffalo, New York	115.61 120.00	39.00
Greensboro, North Carolina	92.00	15.84
Columbus, Ohio	108.00	31.76
Toledo, Ohio	62.88	24.96
Chattanooga, Tennessee El Paso, Texas	64.38	35.40
Washington, D. C.	158.00	6.13
Colorado Springs, Colorado	129.88	82.80
Dayton, Ohio	57.00	35.00
Fort Wayne - Present Rates - Proposed Rates	<u>52.35</u> <u>57.32</u>	29.16 31.92
Indiana Cities		
Anderson	157.38	
Evansville	141.13	
Gary	100.36	
Hammond	70.31	
Indianapolis	83.72	
Lafayette	108.88 137.00	
Kokomo	63.47	
Michigan City Muncie	103.20	
South Bend	73.53	



## PETITION

REQUEST FOR FIMENDMENT OF PROPOSED CRDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

MHEREMS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SENAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT: AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

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# PETITION

REQUEST FOR FIMENDMENT OF PROPOSED CIRDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT

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ME, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

ME FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS. INSTEAD OF THE PRESENT THREE MONTHS; AND,

ME FURTHER PROVIDE ADVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

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### FETTTOM

FREQUEST FOR FRIMENDMENT OF FROPOSED CRETNANCE 140. 15-84-96-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

MHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

MHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

WE. THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

ME FURTHER PROVIDE ADVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

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FREQUEST FOR FIMENDMENT OF FIROPOSED CIRCINANCE 140. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

MHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

PEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO RRE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

MHERES, PROVISION OF BILLING FOR ACTUAL USAGE MOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

FUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

MHERERS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHERES, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

ME. THE UNDERSIGNED RESPECTFULL'Y REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

ME FURTHER PROVIDE BOVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

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Jane Harri	2908 askeraft 46806	7-9-84
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FREQUEST FOR FRMENDMENT OF FROPOSED CREATNANCE 140. C-84-06-22

THO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

MHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

MHERES, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHERES, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

MHEREMS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AN NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHERES, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,



ME. THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

ME FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

ME FURTHER PROVIDE HOVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO.& ST.(ALL FT.WAYNE) ZIP	DATE
In Belser	3010 Andre Lane 46806	July 9-84
Dean C. Becker	3010 Andre In 46806	July 9-198;
Taple Failel	2811 Nustro 46806	719184
Evgene Chefma	4311 Austin Dr. 46506	7-9-84
an Mansfoill	3005 audreta 46806	7/9-/84
Cal Mausheld		7/9/84
- Bale of giller	4308 Marvin D1 , 46806	7/9/84
Frighie R. Lee	4308 marvin 05 46806	1/9/84
Dennis & Hinsley	4316 Marvin Drive 7680%	7/1/89
Rose M. Hensley	4316 Marvin Drive 46806	7-9-84
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### FETTTTT

FREQUEST FOR FIMENDMENT OF FROPOSED CORDINANCE 140. 15-84-06-22

TO: MAYOR WINFIELD C: MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

MHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

LIMERERS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

MHERES, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

ME. THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 RE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

ME FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

ME FURTHER PROVIDE ADVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

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William Jusing		Dr. 4680	
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Talan Gloth	2703 Schaper Dr	-46806	7/9/84
Ruland Wale	2709 Schape Dy	46806	7/9/84
Gilles M Sall-			7/9/84
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Ein W. Chamana	2819 Delado D.	- 46806	7/9/84
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# PETITIOH

FREQUEST FOR FIMENDMENT OF FROPOSED CORDINANCE 140. 15-84-06-22

TO: MAYOR WINFIELD C: MOSES JR. AND MEMBERS OF THE FORT

PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

MHERES, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

MHERES, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND

MHERES, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

ME. THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

ME FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

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MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO.& ST. (ALL FT. WAYNE) ZIP DATE
Janes Wo Fredling	4606 Woodsole In, FT Whyse 4806 7-9-84
Kerosa Steinbacher	4608 Woodsdale Prn. H. Wayme 7-9-84
Ray Ford	26/2 Sahoper Dr. 71. Waye 7-9-84
Mary Jan Ford	2612 Schoper Dr. Ft. Whyse 7-9-84 2612 Schoper D. " 7-9-84
Aldred Ragel	2626 Hohapen The " 7-9-84
Illoria & Denumba	2712 Schapes 7-9-84 2810 Schapes 7/9/84
Jon Wilson Ondry Horing	2810 Schnord 7/9/84 2726 E. Maple Stone 7/9/84
Ta Thomas	28045ChAPER Du 7/7/84
Eloise Sthomes	2804 Schaper Dr 7/9/84
	m 2816 Schager Ar. 7/9/84
Diama Burman	2822 Schaper Dr 7-9-84
Gysself Wennen- Fatricia Dennon	2904 Schaper Dr. 1-9/84
Ernest m Zeller	29/2 Schaper Dr 46806 7-9-84
Villean B. Harry	2918 Felsper Drie 46806 7-9-84
Donathy G. Calo	2924 Schaper Dr. 46806 7-9-84

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FREQUEST FOR FIMENDMENT OF FROPOSED CARDINANCE 140. 15-84-96-22

TO: MAYOR MINFIELD C. MOSES JR. AND MEMBERS OF THE FORT MAYNE CITY COUNCIL

MHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

MHERES, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

MHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

ME, THE UNDERSIGNED RESPECTFULL'EREQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

ME FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

ME FURTHER PROVIDE POVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO.& ST.(ALL FT.WAYNE) ZIP	DATE
Grace Muldoon	5711 Paperta Dr. 46806	7-9-84
Delbert 11 Muldoon	5111 Roberta Dr. 46806	/ /
Shirley Briggo	5/19 Roberto Br. 46806	7/9/84
Willie Briggs	5119 Roberta D1-46806	7/9/84
Jamy Bushbill	5110 Robertudlem	7/9/84
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Thomas MElliott	5102 Roberta Dr.	7-9-84
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Adore In Whenlet	t 5019 Robelt Or	2-9-8X
William & Bradede	n 5011 Roberta Dr.	7-9-84
Rose Breeden	5011 Roberta der.	7-9-84
Harl Hauson	5010 Roberta Dr.	7-9-84
John Hall	5002 Roberta Dr	7-9-84
Dorthy m Dily	4930 Robert Dr	7-9-84
Lis Danis	4915 Roberts Al.	7-9-84,
Yen of Harris	4915 Resta Rs.	7-8-84
Sharon Kellyard	4914 Roberta Dr.	7-8-84
Idell Frederich	4908/7 Meeta Dn.	7-8-84

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Robert W Bastian	5103 Roberte Dr 46806	7-9-84
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## PETITION

FREQUEST FOR FAMENDMENT OF FROPOSED CERDINANCE 140. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

MHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY, WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO PRE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

MHERES, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

MHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO-SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHERES, THE USE OF WATER FOR SPRINKLING DOES NOT GREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHIEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE MEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

ME. THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE
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### PETITION

REQUEST FOR FAMENDMENT OF PROPOSED CIRDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

MHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE MOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREPS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SENAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

MHERES, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

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ME FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

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### ETTTI

FREQUEST FOR FIMENDMENT OF FROPOSED CIRCLINANCE MIO. 15-84-96-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

MHEREMS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

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WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHERES, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER. PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

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Howard O. Leiter Daw M. Leiter	2703 Capital ave.	July 9, 1984
Jus L. Oleman	2709 Corros Aux	Suy 9 1984
Brek M. Olman	27/7 Capital ave	July 9, 1984
Deggy A. Schultz	2721 Capitol Ave.	July 9, 1984 July 9, 1984
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Otto F. Knispel	3915 Capital ave	7-9-84
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#### FETTTION

FREQUEST FOR FINENDMENT OF FROPOSED CIRCINANCE MIO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

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MITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND

MHERED: THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

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HAVE BEEN REPORTED TO BE UNDER WAY.

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Walter K. Hertzer	2717 PRiscilla La 46806	7-9-84
Ruth J. Hertzon	2717 Privilla LN 46806	
Horothy F. Durge	2721 Priscilla Lane 46806	7-9-84
Kathy Morlverger.	there will never make your paid over your want town ours town ours town ours town ours town ours town ours town	7-9-84
Dennis Monnies	2627 Prisille Lane 46807	
Jan E. Dailey	2615 Priscella m. 46806	
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David W. Schwefen	2603 Priscille 46806	7-9-54
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Frid Bredemejer		7-9.84
Bermina Bredemyer	2608 Rysella 46806	7-7.84
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Mark Snader	4702 Schaper 46806	7-10-84
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### FETITION

FREQUEST FOR FAMENDMENT OF FROPOSED CARDINANCE 140. 13-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

MHEREMS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHERES, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

MHEREMS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHERES, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

MHERES, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

ME. THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

ME FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE MOVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
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FREQUEST FOR FMENDMENT OF FROPOSED CERDINANCE MIO. 15-84-06-22

TO: MAYOR MINFIELD C. MIOSES JR. AND MEMBERS OF THE FORT MAYNE CITY COUNCIL

MHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHERES, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

MHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

MHERES, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHERES, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND

MINIOR FOR SEMAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

a grit

ME, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

ME FURTHER PROVIDE MOVANCE
MOTICE OF OUR REQUEST, THAT THE USER MINIMUM
CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF
NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH
HAVE BEEN REPORTED TO BE UNDER WAY.

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REQUEST FOR FIMENDMENT OF PROPOSED CIRDINANCE 140. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHAMGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

MHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHERES, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHERES, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEMAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

MHERES, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNMORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

ME, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

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HAVE BEEN REPORTED TO BE UNDER WAY.

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Clarence & Smith	4711 TACOMA AVE. 46807 7-9-84
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Marie Kaliker	4713 Talona Ca 46807 7-9-84
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### PETITION

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

MHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD YOTE FOR ITS APPROVAL; AS WRITTEN; AND,

WHERES, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

MHEREAS; THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

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SIGNATURE	NO.& ST. (ALL FT. WAYNE) ZIP	DATE
William P. Bloch	6340 Donna Npine 46819	7-2-84
Mely & Swelfer	2615 Part Ave 46807	7-2-8/
Pm+ Clim	6346 Dans 46819	7.2-84
Katherni O'Brun	6346 llonga dr. 46819	7-2-84
Joan A Alexke	2205 dale Dr. 46819	7-3-84
Jan Cenybell	3109 MERONAWA 46609	7-6-84
Mary I Congdell	3809 Wingnoh, 96809	7-6-84
Lugary D. Atonder	715 nightfall 46819	7/6/84
Marvin L Beck	2140 Lakewood Dr 46819	7/6/84
Mary Beck	2140 Rakewood 46819	7/6/84
Hand Relison	4430Whitefort Jane 46816	7-6-84
Kaymond Gohnery hoa R. Johnson	211/ Lakewood 46519	7-4-84
	2111 Lahewood 46819	7-6-84
Enin A. Ackes	2112 Lakenood 46819	7-6-84
Elsie Jam	2106 Lakewood 46819	7-6-84
Tom Kinder	6421 Reserve LINERA	7/6/84
Dovid D. Griggs	6411 Reserve Line Rd.	7-6-84
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T.L. Veles	6332 Keserve Lnuff 19 7-6-84
Vieles Pattier	6337 Deserre Lenad 19 76-84
Donne Fifteni	6327 Reserve Lie al. 19 7-6-84
Doyt O. Fisher	6307 RESERVE LINE RD 7-6-84
Velacio Fosher	6367 19-eseme Line 7-6-84
Juli Pepple	3712 FORESTHICKAUE- 7-6-84
Amarleae Miller	6315 Reserve Livi Rd 7-6-84
Bill Minams	6302 Reserve Line 7-6-84
Caral Winers	6302 Reserve Line Rd 7-6-84
Edus Guttmarke	2 6320 Reserve Line Rd 7-6-84
Toole Ditto	aches 6326 Reserve Rd 7-6-84
Michael Stanton	BOIY The Orthur Drive Apt 16 7-7-84
I lawy & mac Doxall	6333 K Sporese Line Rd. 46+19 7-7-84
Juliane Mac Dougl	6333 Reserve Line Rd 46819 17-7-84
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May and Weller	6514 Reserved ine46819 7/7/84
Blef Javis	2705 Mac Orchur hi 7-7-84
Thiley Mason	1105 Joyette Dr. 46816 7-7-84
Richard C. Abbott	-2024 Mapleovod Rd, 46819 7-7-84
Clerin I Duger	2104 Love Hunglington 46819 2-7-84 7-7-84
Neglet Alach	2002 maplewo- 2 Rd 46819 747 5176
Jack P. Sollman	359 E. Hoover Dr. 46916 7-7-84
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Charles St Stanger	7402 Brodbury 46809	7-7-2-84
Ray Staly	2718 corvalis oul 46809	
Down Stell	2718 Conval. Gr. 46809	7-7-84
Befly Spraye.	5605Webster 46807	1 ) /
Gloria J. Mursell	6522 Doura Sh 46819	
h Mu & Shook	6521 Danier Dr 46819	
Jeresa a. Schwarke	6521 Donna Dry 46819	•
- Elise Scheele	65/5 Donnade 46819	
	6511 Donna 10, 44 879	
,	6315 Donna Q: 19	
Delora & Koont	6315 Donna 029	7-7-84
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Wenner Dehenleuch	2214 Interlaker III	7-7-84
Stulla Cu hen bach	1929 Reckesseg Rd	1-7-84
Elizabeth Meese	6250 Donna 41819	7-7-84
Mommers	6245 Donna 4194	7-7-84
Sugane Comme	1.245 Donna 40819	7-7-84
ma Fachel Dudwish	6229 Donna D 46819	1-7-54
Ishan E. Wile	6231 Mayurod Lie 2/4819	7.7.84
I Forman Giller Liter	6231 maywood Ps 4181	47:234
blossethy Burnald	6211 h Commande 46819	J-7-84
Kobett E Hay	4.306 Reserve Time 46819	7-7-84
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Dorthy Stronbula	230 W Shaper Ster 46127	7-8-54
C. V. Marthey	6420 Sonna Sh	7-8-89
Ruth Narther	1420 Donna Dr	7-8-84
Misseal Suite-	6501 Maywond Cu	7-8-89 7-8-84
Shessey Blake	650 1 Mayerrod ar	7-8-84
anthurst Doctor	6432 Maywood Direk	7-8-84
Efens Doctor	2210 Farrade Dr. 46819	7-8-84
Janes Leffers	2210 Jaurerale Dr. 46819	7-8-84
Stephen T. Leffery Cheryl Leverton	2210 various 46819	7-8-84
Bill Lewelton	2227 Fairab 46819	7-8-81
Elmund Clar	6534 Lebert DR 46819	7-8-84
Debra Illark	6534 Riberty M. 46819	7-8-84
Bill Hawfill	6614 DEPTYS	46809
Enere Cu	6621 Liberty 46819	2/8/4
Rolet M. Heyd	6511 Februar DR 46819	7/8/54
Joan R. Dyer	65/1 Ldowly Dr 468/9	7-8-8/
Rom Mandal	6419 BLUFFEON RO. 4/809	28-84
Roxanne monroe	6315 Bleef Stor RA 46819	7 78-84
Mary Link	6315 Blufflow Dd 46819	97-8-84
Herry Link	2 - 11 21 21	809 7-8-84
SUSAN J O'BRIEN	6311 BLUFFTON 46809	7-8-81
Kath S. Edwonen	L307 BLOSSTON 46819	7-8-84
Mineral & Pierce	6305 Blufflin Gl 44805	7-8-8×
Oder To iene	6305 PLUEFTON RO 468TG	7-8-84
Eugene Barnet	6301 Blufter Pl 46869	1-8-01

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Vaster Burry Cl	6210 Donna No FAagre 16819	7/7/84
Vanne J. Sty	16306 Leserge Tinel	
Wower Maringer	2303 Interlater Tr. 46819	
alleen Birning	1363 Intalaker Dr. 4681	
Lang Bankert-	6135 Musen on the 468/1	• / / / / /
Robert S. Chandle	609 Russell and	9 / / /
annette M. Chandlas		
	16135 Downingtown &	
Selection of the second of the	6517 Fernal Bus	/ / /
Sandy Zold	2713 Facros Dr	46809 7/3/84
Mayour Legger	6517 Femwood	46809 1/8/84
Whe Strive	3526 ALGONQUIN PARS	46809 7/8/84
<del>/7</del>	3526 algonquin Passi	46809 7/8/84
Addf. Welst	2813 al Ceating +6809	1/8/84
Shirly Fowell	1818 Eileen 87 46819	7/8/84
Chery Selves	2107 Lyma 46819	7/8/84
Charle Towell	1818 Eileen St. 46819	7/8/84
Kl Breaky	3/05 Euclid 46816	7/8/24
Ondas	_ 1511 ANDIS DIL 46819	7/8/84
Ellen Springer	1511 andi Du 46819	7/8/84
Helew Schuch	6115 Hystone Qu 46816	7/8/84
Silmon Willmen	8315 D. Outton Bd 46 809	7-8-84
Martha Hoke	7035 Bradbury 46809	7-8-84
Charles Stenke	2505 Dale Dr. 46819	7-8-84
Gestrude Dettain	8315 Bluften Rd 46809	7-8-84
Load lwar	1143 Branning ave 46807	
Caul Strombush	230 A. Sherward Just 1	7-8-86

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Edule R. Bloch	6340 Donna Drive 46819	/
M.C. Gungs	6406 Denna "	2/7/84
- Geanne George	/ Ear 10	7/2/2/
Box J. Fletcher	6506 Danne	<u>7/7/84</u> 7/7/84
Grand G. Colhum	6532 Down	2/1/84
Willis E. Colburn	6532 Donna	7-7-84
Carl & Bower	6640 maywood CR	7-7-84
Ed Moore	66 19 May wilouden	7-9-84
Eleanor Horsyth	6620 Maywood Ca	7-7/84
Ry E Sonnell	6605 mayura	7-7-14
Land I donne	1605 May 6000	717-84 717-84
Lea Sharon Pance Frances Marhenke	6609 Mayurod	7/2/84
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Bus Spurioff - f -	158 Maywood les	7-7-84
Mary Shurtell	650 Alagwood les.	7-7-84
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Rh Dunstard	6407 Maywood Cis	7-7-84
Di Pollerson	6323 MAYWOOD CIR	7-7-84
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Rolph & Dehinkschler	(324 May 20-) 610	21-84
Wisla S. Fitch	1320 Mayuros Cir	112 XX
Kataleen M. Glader	6316 Mayness a	747-3832

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Skuley Tel Tels	2222 Interlaken 46819 7-8-84
Rold K. Homs	-6230 Mayrea CA1819 7-8-84
ann) Thomas	6230 Maywood Circle 7-8-84
Ellen G. Doehrman	2210 Anterlaken Dx 46819 7-8-84
Joan & Havis	2210 Interlation De 46819 7-8-84 6322 Donna Dr. 46819 7-8-84
Patrick Davis	6322 Donna Dr. 4819 7-8-84
Mirainia Bunsold	6330 Donna Dr. 46819 - 7/8-84
Ro J. Suha	6307 Sluften Rd 46819 7/8/84
Jankes D. Weaven	2310 Sand Point Ry 46809 7/9/84
Star Roman	4410 Mirada Drine 46816 7/9/84
Evana Wilkinson	213D Jakewood Ste 46818 7/9/84
, , ,	2130 Lakoward O4. 46819 7-9-84
	2121 Laberard 4 168/9 7-9-84
Wolf Toll	6323 Donna RA 46819 1-9-84 6323 Donna Rd 4687 1-9-84
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7-7-7-1	63/2 Mayord Ca. 468/9	6 7 F. 811
Jour Doshel	20271E604A DR 46819	
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Ediel Datmer	4928 Indiana and 46807	
Frank J. Bontemps Fance K Bontemps	2525 Belle Nista Blod 46809	
	2525 Bellevista Blud 46808	
Ruth Boy	23/5 Maplewood Rd 46819	>_Z=8-89
Roy College	73 / My 1 1000 Q 41819	
Boston Cook	7523 Knightswood Dr. 46819	7-9-84
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Chesta Brewsto	5109 Rolgelane din -46804	
Rolf & Thenes	3301 Olive St 46806	3.8.8
Luella C. Lave	3523 Theisur 46806	7/8/8
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ME, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

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Joan Kita Underson	1639 Reckweg Rd. 40	
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REQUEST FOR FAMENDMENT OF PROPOSED CORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHERES, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD YOTE FOR ITS APPROVAL, AS WRITTEN; AND,

LACK OF SENSITIVTY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHERES, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREA: THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHERES, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

MHEREMS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE.

AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

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Carette Galler	3420 Hobson Il	7-9-8-44 pone pone pone pone pone
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# The City of Fort Wayne

July 27, 1984

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of July 31, 1984 and August 7, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-84-06-22 General Ordinance No. G-17-84

"Sewer and Sewerage System"

 $\,$  Please send us 5 copies of the PUblisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy

f. Leunedy

City Clerk

SEK/ne ENCL: 1

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### LEGAL NOTICE

Not	ice is hereby given that on the 24th day of
	July , 19 84 , the Common Council of the City
of	Fort Wayne, Indiana, in a Regular Session did pass
the	following Bill No. G-84-06-22 General
	inance No. G-17-84 to-wit:
1	BILL NO. G-84-06-22
2	GENERAL ORDINANCE NO. G-17-84
3	" OF THE TOPM WANTED
4	AN ORDINANCE REPEALING CHAPTER 24 OF THE FORT WAYNE MUNICIPAL CODE AND SUBSTITUTING AND ENACTING THEREFOR
5	A NEW CHAPTER 24 ENTITLED "SEWERS AND SEWERAGE SYSTEM" FOR THE PURPOSE OF ADJUSTING RATES AND OTHER PROVISIONS
6	SET FORTH THEREIN.
7 .	WHEREAS, the Common Council now finds that the fees
8	charged for services rendered by the Sewage Works owned and
9	operated by the City of Fort Wayne are not sufficient to maintain
10	the Sewage Works in the sound physical and financial condition
11	necessary to render adequate and sufficient service and that
12	said fees are not sufficient to pay all expenses to operate and
13	maintain the Works; to pay interest charges on bonds or other
14	obligations; to provide the sinking fund required for revenue
15	bonds heretofore issued; to provide adequate money to be used
16	as working capital; to provide adequate money for improving and

17

18

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owned; and,

WHEREAS, certain terms and conditions incident to the

replacing the Works; and to provide the amount of money suffi-

cient to compensate the City for the property taxes that would

be paid on the Sewage Works if the Sewage Works were privately



## The City of Fort Wayne

August 1, 1984

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of August 4, 1984 and August 11, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-84-06-22 General ORdinance No. G-17-84

"Sewer and Sewerage System"

Please send us 5 copies of the Publihser's Affidavit from both newspapers.

Thank you.

Sincerely yours, Landra F. Lennedy

Sandra E. Kennedy

City Clerk

SEK/ne ENCL: 1

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## The City of Fort Wayne

June 26, 1984

Ms. Trudy Sterling
Fort Wayne Newspapers. Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of June 29, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-84-06-22

Please send us 5 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours, femaly

Sandra E. Kennedy

City Clerk

SEK/ne ENCL: 1

### NOTICE OF HEARING ON PROPOSED RATES AND CHARGES OF FORT WAYNE SEWAGE WORKS

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on June 26, 1984, the Common Council introduced Ordinance No. G-84-06-22 , thereby determining to establish rates and charges for services to be rendered by the sewage works. At a meeting of the Common Council to be held at 7:30 P. M. (Fort Wayne Time), on July 10, 1984, in the Council Chambers, there will be a public hearing on the matter of the rates and charges, and consideration of adoption of said Ordinance No. G-84-06-22 , which provides in part as follows:

### Sec. 24-3-5 Sewer Tap Permits

Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

### Sec. 24-7. Penalty for Violations

Any landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that such violation(s) or noncompliance continues shall constitute a separate offense.

### Sec. 24-30. User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

pervice quarge (c	ches per 100 cu. 10.	<u>/</u>
	Clas	s of User
	Domestic	Manufacturing
Treatment	20.52	20.52
Conveyance, Collection, Billing	19.96	13.01
Capital	12.84	10.33
Pretreatment Administration		2.50
Total User Charge	53.32	46.36

### Sec. 24-31. User Minimum Charges.

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size	Minimum	Мо	nthly	Charge
5/8 - 3/4"  1 - 1½"  2"  3"  4"  6" or larger		\$	2.66 9.40 19.17 38.52 64.04 77.87	
0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				

### Sec. 24-32. User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer	Monthly Flat Charge (1)
•	In-City Out-City \$6.39
Domestic User - Single Family Dwelling	\$5.33 \$6.39  To be estimated by City
Domestic User - Multi Family Dwelling	To be estimated by City
Commercial and Industrial User	To be estimated by city

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

### Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1	Volume Charge (cent	s per 100 cu. ft.)
	Treatment	20.52
	Capital Charge	12.88
	_	33.40

# -2 Variable Charge (cents per 100 cu. ft.) A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

# -3 Flat Charge In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.

# In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

•	Cents Per Pound
Suspended Solids - (SS)	4.304
Biochemical Oxygen	
Demand - (BOD)	4.300
Phosphorus - (P)	41.193

# In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

## -6 Other Provisions In the event sewage received pursuant to any contract entered into under this section exceeds

any of the limitations imposed by this Chapter, the City shall have the right to impose all' charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, 35-935-13.

### Sec. 24-34. Bulk Waste Charges.

Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

### Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.

### Article IX. Delinquent Accounts

### Sec. 24-46. How Delinquencies Arise.

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

### Sec. 24-47. Collection Through Shutting Off Water Service.

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after

reasonable motice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

### Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

### Sec. 24.49 List of Delinquent Fees and Penalities - Tax Duplicates - Collection.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

### Sec. 24-50. Collection Through Court Actions.

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Dated: June 26, 1984

Sandra E. Kennedy

That this Ordinance shall be in full force and effect -3 from and after its passage, any and all necessary approval by the Mayor and due legal publication thereof. Thomas C. Henry COUNCIL MEMBER Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote: Ayes: Seven Bradbury, Eisbart, GiaQuinta, Henry, Redd, Stier, Talarico Nays: OwT Burns, Schmidt Sandra E. Kennedy 7-24-84 Date: City Clerk Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-17-84 on the 24th day of July, 1984. ATTEST: (SEAL) Ben A. Eisbart Sandra E. Kennedy Presiding Officer City Clerk Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1984, at the hour of 11:30 A.M., E.S.T. Sandra E. Kennedy City Clerk Approved and signed by me this 25th day of July, 1984, at the hour of 3:00 o'clock P.M., E.S.T. Win Moses, Jr. Mayor I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-17-84 passed by the Common Council on the 24th day of \_\_\_\_\_, 19<u>84</u>, and that said Ordinance was July duly signed and approved by the Mayor on the 25th day of  $_{-}$ , 19  $_{-}$ 84  $_{-}$ , and now remains on file and on record in my office. WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July

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I Carlo Ber Carlo Bar Wall of the Market St. H.

July

Form Prescribed by State Board of Account	S	General Form No. 99P (Rev. 1967)		
Fort Wayne Commo	JOURNAL-GAZETTE Dr.			
(Governmental Unit) Allen		P.O. BOX 100 FORT WAYNE, INDIANA		
ATTEI		PORT WATTE, INDIANA		
	PUBLISHER'S CLAIM			
LINE COUNT				
	t exceed two actual lines, neither of which shall total more than four solid lines the body of the advertisement is set) $\cdot$ number of equivalent lines	nes		
Head number of li	nes	1		
Body number of li	nes	1304		
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Total number	of lines in notice	1306 .		
COMPUTION OF CHARGES				
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Additional charge for no	otices containing rule or tabular work (50 per cent of above amount)			
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TOTAL AMO	UNT OF CLAIM	\$589.20		
DATA FOR COMPUTING COST				
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has been paid.		,		
		Drusilla Koose		
Date	Titl	le CLERK		
FORM #904	PUBLISHER'S AFFIDA' State of Indiana	VIT		
	ALLEN County SS:			
	Personally appeared before me, a notary public in	· ·		
	undersigned Drusilla Roose			
	that he/she isCLERK	of the		
	JOURNAL-GAZETTE			
	anew	spaper of general circulation printed and published		
ATTACH COPY OF ADVERTISEMENT HERE	in the English language in the city town of	NDIANA		
	in state and county aforesaid, and that the printed r two time			
	as follows:	, , ,		
	8/4 - 8/11/84			
	A	Trusilla Rosse		
	Subscribed and sworn to me before this	August 19 84		
	Substitute and sworn to the perote this	B Loke		

March 6, 1986

My commission expires .....

**LEGAL NOTICE** 

Notice is haraby given that on the 24th day of July, 84, the Common Council of tha City of Fort Wayne, liana, in a Regular Sassion did pass the following No. G-84-06-22 General Ordinance No. G-17-84

3ILL NO. G-84-06-22

GENERAL ORDINANCE NO. G-17-84 AN ORDINANCE REPEALING CHAPTER 24 OF IE FORT WAYNE MUNICIPAL CODE AND IBSTITUTING AND ENACTING THEREFOR A NEW JAPTER 24 ENTITLED "SEWERS AND SEWER-SESYSTEM" FOR THE PURPOSE OF ADJUSTING ITES AND OTHER PROVISIONS SET FORTH

WHEREAS, the Common Council now finds that the is charged for services randered by the Sewage orks owned and operated by the City of Fort Wayne not sufficiant to maintain the Sawage Works in the and physical and financial condition nacessery to ider adequate and sufficient service and that said is are not sufficient to pay all expenses to operate d maintain the Works; to pay interest chargas on nds or other obligations; to provide the sinking nd required for revenue bonds heratofore issuad; to ovide adequata money to be used as working pital: to provide adequete money for improving and placing the Works; and to provide the amount of onay sufficient to compensate the City for the operty taxes that would be paid on the Sewaga orks if the Sawaga Works ware privately owned:

WHEREAS, cartain tarms and conditions incident to rendaring of efficiant and non-discriminatory rvice to users of the Sewaga Works should be rended and revised to raflect current oparating nditions; and,

WHEREAS, the City of Fort Wayne has been undated by state and federal regulatory authorities edopt and enforce pretreatment standards and quirements for certain of its contributing industrial ers thareby causing in future pariods a reduction in strangth and toxicity of affluent dischargad to City

wars by seid industrial users; NOW, THEREFORE, BE IT ORDAINED BY THE DMMON COUNCIL OF THE CITY OF FORT AYNE, INDIANA:

SECTION 1. That Chapter 24 of tha Municipal Code tha City of Fort Wayne, Indiana, as prasently acted, is repealed in its entirety and substituad erafor shall be an amanded and ravised Chapter 24 attachad harato and made e pert of this

SECTION 2. That this Ordinance be edopted after a blic heering has bean hald pursuant to I.C. -9-23-26 and duly published notice thereof rsuant to I.C. 5-3-1.

SECTION 3. That in eddition to the "Annual Raviaw Sarvice Chargas' prescribad in Sec. 24-35 of lepter 24 that the Sewage Works undertake a study strength of waste discharges of its contributing tustrial users for a period of one (1) year mmencing July 1, 1984 for the purpose of

current monetary values, as an operating cost which represents and measures the day-to-day consumption and attrition of physical assets in rendering service to usars.

-129. "Sanitary Sewage" - sawage discharged from the sanitary conveniences of dwellings, apertmant houses, condominiums, motels, hotels, lodging or boarding housa, office buildings, factorias or institutions and frae from storm weters, surface water and industrial wastes.

-130. "Servica Charge" - the basic assassment levied on all users of the public seweraga system for wastes which do not exceed in strength the concentration valuas above which a strength-of-waste surcharge will be made.

"Sawage" - the water-carried wastas from residancas, business buildings, institutions and industrial establishments, singular or in any combination, togathar with such ground, surfaca, and storm waters as may be present.

"Sewage Treatment Plant" or "Water Pollution Control Plant" - the arrengament of

devices, structures and equipment and disposing of sewage and sludge. -133. "Sewage Utility" or "Water Pollution Control Works" - all facilities and systems for collacting, transporting, pumping, traating, disposing of sawaga and sludga, including the sewarage collaction system and the sewage treatment plant, whether or not in activa usa.

-134. "Sewar" - a pipe or conduit for carrying sewage end other waste liquids as diffarantiated

134.1 "Combined or Combination Sewar" - a sewer which carries storm, surface, and groundwater runoff as well as sewage.

134.2 "Public Sewer" - a sewer to the use of which all owners of abutting proparty have equal rights and is controlled and maintained by the City or other public authority.

134.3 "Sanitary Sewer" - a sewer which carries sanltary sewaga and to which storm, surface, groundwaters and unpolluted industrial wasta waters are not intentionally admitted.

134.4 "Storm Sewer" - a sewer which carrias storm, surface and groundwater drainage but excludes sanitary sewage.

-135. "Sewer Engineer" - the Chief Sawar Enginear of tha City or his duly euthorized representative; the term is synonymous with the term "Water Pollution Control

-136. "Seweraga System" - the natwork of sewers end appurtenances usad for collacting, transporting and pumping sewage to the Sewage Traatmant Plent.

-137. "Shall" means mandatory; "may" maans permissible.

-138. "Standerd Mathods" - the examination and analytical procedures set forth in the most recent edition of "Standard Mathods for the Examination of Water and Wastewater," published jointly by the Amarican Water Works Association end the Water

-128. "Raplacament Cost" - that cost, stated in nacessary to meet applicable tederal, state and local

requirements.
-2 Dischargers shall notify the Superintandent of the Water Pollution Control Plant, or his representative, immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within five (5) days of incident. The notification must include the location of the discharge, date and tima of occurranca, typa of wasta, concentration and voluma. and correctiva actions takan. Any industrial user who discharges a "slug load" of prohibitad materials will be llable for any expense, including loss or damage to the Water Pollution Control Utility sewerage system in eddition to the amount of any fines imposed upon tha City under state or fedaral law.

3 Signs must be permanently postad in conspicuous places on the dischargar's pramises, advising employees whom to call in the event of an accidantal discharge. Employers shall instruct all employees who may cause or discover such a discharga as to the

emergancy notification procedures.

Articla II - Parmitted Commercial and Industrial Westas

Sec. 24-11. Prior Approval for Cartain Wastes. Review and acceptance by the Superintendant shall be obtained prior to the discharga into the public sewars by any commarcial or industrial class customer of sawage whose wastes have:

-101 Eithar a BOD content greater than 300 milligrams par liter or a COD greater than 600 milligrams per liter.

-102 A suspended solids content greater than 300 milligrams per litar. -103 A phosphorus content greater than 10

milligrams per liter.

104 Other Contaminants which from either nature or quantity will: (a) interfere with the operation of any portion of the Sewage Utility; (b) pass through the treatment works or otherwise be incompatible with such works; (c) prevent the reclamation and/or recycling of municipal or industrial wastewatars and

Sac. 24-12. Pretreatment Facilities - Genaral

When, after making such a reviaw, the Superintendent concludas thet, bafore the owner discharges wasta into the public sewers, the owner must modify or eliminata those constituents which would be harmful to the structuras, processas, or operations of any portion of the Sewage Utility or injurious to health, than that owner shall either modify the wastas at the point of origin or shall provide and operata, at ownar's expanse, such preliminary traatmant and processing facilitias as may be deamed necessary to render owner's wasta accaptable for admission into the public sewars

Sac. 24-13. Pretraatment Facilities - Prior Approval

Plans, specifications, and any other partinant information relating to proposed preliminary treatment processing facilities shall be submitted to the City for examination and epproval. No construction of such facilities shall begin until the Superintendent has given written approval. Such approval shall

determination of quality, quantity and character. The examination shall be made as often as the Suparintendent deems it appropriate and may include the use of suitable continuously monitoring Instruments, in appropriate cases. Samples shall be collected either manually or by approved mechanical devices and in such e manner as to be representative

of the ovarall composition of the wastes.

-2 Tha Installation, oparation, and maintanance of the sampling facilitias shall be the rasponsibility of the owner discharging tha wastas and shall be subject to the approval of the Superintendant. Access to the sampling facilities shall be granted, at all times.

to the Superintendent.

-3 Where an owner's operations have security measures in force which raquira proper Identification and claaranca before entry onto said owner's proparty is granted, such owner or owners shall make the necessary arrangements with their sacurity personnel that upon showing of propar identification personnel from the City shall be parmitted to entar, without dalay, for the purpose of observing or monitoring of wastas being discharged et a given point or points or that owner or owners shall install suitable control manholes outsida of the security area or areas, which at all times will be immediately available to City parsonnel

Sec. 24-23. Waste Analysis Procedures and Chargas.

Laboratory procaduras used in the axamination of industrial wastes shall be those set forth in "Standard Methods" or "Guidalines Establishing Tast Procedures for Analysis or Pollutants," as set forth in the Code of Federal Ragulations 40 CFR 136.

-1 Charges to Users Alternate methods for certain analysas of industrial wastas may be used subject to mutual agreement between the Superintendent and the User. In the event of a dispute between the Superintandent and the Usar as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, aither party may request that the sample in disputa ba analyzed by a mutually acceptable referee whose charges shall be paid by the party requesting the anelysis. Analysas made by the City at the request of the Usar, shall be charged to the User eccording to the Utility's standard work order billing procadura. All such analyses shall be binding in determining strangth-of-waste surchargas and other matters depandant upon the charactar end concentration of wastas.

 -2 Chargas to Governmental Agencias Analysas run by tha Watar Pollution Control Plant Leboratory for any governmental agency, or political sub-division of a City, County or State shell be billed to such agency or subdivision for direct lebor and expansas according to the Utilities standard work order billing procedure. Analyses run for other egancias shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the anelysis should have such priority.

-3 Charges Collected

the City Utilities and an independent certified public accountant amployed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD suspended sollds, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcherges are adaquate or should be changed. Tha methodology utilized in developing this cost comparison shall include:

-1 A systam including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strangth, volume and delivary flow characteristics shall be considered and included as the basis for the user's contribution to insura a proportional distribution of oparation and meIntenance and replacement costs to each user

-2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have ganerated during the prior oparating period sufficient revenue to offsat the cost of all traatment works oparation and maintenance provided by tha Utility, including cost of managament, system repair and replacement, debt retirament and other costs incidental to the Utility Operation ettributable to such class

Article VII. Strenghth-of-Wastes Surcharge

Sac. 24-36. Liability for Surcharga

Each user discharging wastes into the sawerage system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposad by this ordinance, besed on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

-1 Biochemical oxygen demand of 300 milligrams

-2 Chemical oxygen demand of 600 milligrams per litar

-3 Suspended solids content of 300 milligrams per liter.

4 Phosphorus content of 10 milligrams par liter Sec. 24-37. Computation of Surcharge.

The surcharge shall be determined as follows

The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each ba computed by first multiplying the usar's billing sawaga volume measured in units of 100 cubic faat for the current billing pariod by the fector 0.0062321 and then multiplying this product by tha difference between (a) the concentrations measured in milligrams per liter of tha BOD (or COD) suspanded solids, and phosphorus respectively in the user's sewaga and (b) the allowed concentrations sat out in Section 24-36. The surcharge for each constituant will then be datermined by multiplying the excess pounds of each constituent by the appropriate rete of surcharge set out in Section 24-33-4. In the event COD measurement is used, as hereinbefora provided, 50% of the excass pounds measured will be used to compute the equivalent BOD charge.

cordence with Sec. 24-35a of Chapter 24 will be esented for consideration to the Common Council later than 90 days after Juna 30, 1985.

SECTION 4. That this Ordinance shall be in full force d effect upon passage and approval by the

Thomas C. Henry COUNCILMAN

#### CHAPTER 24 SEWERS AND SEWERAGE SYSTEM Articla I. General

Sec. 24-1. Dafinitions

aless the context specifically indicates otherwise, e meanings of the following terms as used in this napter and as used in the rules and regulations lopted by the Board of Public Works implementing provisions of this Chapter are es set out below

-101. "Act": the Federal Water Pollution Control tt, also known as "The Clean Water Act," as hended, 33 U.S.C. 466, as referred to et I.C.

-102. "Applicable Pretreatment Standards" - Any streatment limit or prohibitive standard (Federal, ate, and/or Local) contained in the ordinance d considered to be the more restrictive with which n-domestic users shell be required to comply. -103. "Biochemical Oxygen Demend (BOD)" - the

lantity of dissolved oxygen, in milligrams per liter, quired during the stabilization of the decomposle organic matter by aerobic biochemical action sewaga, sewage effluant, polluted waters, or dustrial wastes under standard laboratory proceres for five days at 20 dagrees centigrade. The coratory determinations shall be made in accorince with procedures set forth in "Standard ethods" (see paregraph 138 below).

-104. "Building (or House) Drain": that pert of the west horizontel piping of a building drainage stem that receives the discharge from soil, waste, other drainage pipes inside the wells of the illding and conveyes it to a point outside the undation wall of the building.

-105. "Building (or House) Drain Connection": the bint whera the Building (or House) sewer is innected to the building drain at a location proximately three (3) feet outside the foundation all of the building

-106. "Building (or House) Sewer" - the pipe which connected to the Building (or House) drein et a sint 3 plus or minus feet outside the foundation wall the building and which conveys the building's scharge from that point to the public sewer or her place of disposal

-107. "Building (or House) Sewer Connection" e point were the building sewer is connected to the iblic sewer. This connection to the public sewer

ay be accomplished as follows:

107.1 Where a tap-in connection is employed, the pint of connection shall be where the end of the ilding sewer meets the inside fece of the sewage stem and the tapping "saddle and/or joint" shall considered pert of the building sewer.

107.2 Where fittings (T's or Y's) ere employed the nnection shall be where the end of the first pipe.

weter Poliution Control Plant.
-139. "Strangth-of-Waste Surcharge" - the additional charges for sewage servica collected from users discharging sewage into the system having a strangth measurement in excess of the limits imposed by the provisions of this Chapter.

140. "Superintendent" - the Superintendent of the Sewage Treetment Plant (Water Pollution Control Plant) of the City, or his duly authorized representa-

-141. "Suspended Solids" - solids which either float on the surface of or are in suspansion in water, sewage or other liquid and which are removeble by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in Standard Methods.

-142. "Waste Surveillance Charge" - a monthly charge collected from users, qualitying es industrial or commercial cless users, to defray the cost of evaluating thet user's waste by metering, sampling, leboratory analysis, and/or other methods deemed necessery. Seid charges are set forth in Article VII and are subject to raview annually as provided in Section

-143. "Watercourse" - e channel in which a flow of water occurs eithar continuously or intermittently Sec. 24-2. Rules and Regulations - Board of Works

Authority

The Boerd of Public Works of the City shall, in accordance with the Statutes of the State of Indiana, and subject to the provisions end requirements of this Chapter, make and enforce eppropriate rules and regulations for tha safe, economical and efficient menegement and operation of the City's Sewage Utility, for tha construction and use of sewers, building sawers, appurtenances, and connections to the sewerage system; for the regulation, collection, end refunding of rates and charges for sewerage service; and for the implementation of the provisions of this

Sec. 24-3. Requirements for Connection to Public

-1 No owner or occupant of any real property shall tap or drain either directly or Indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro reta shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shell not operate to nullify any such obligation that has been duly recorded nor eston the City from charging end collecting such costs at any subsequent time.

-2 Notwithstanding the foregoing, the Utility may, in eccordance with policies and procedures edopted by the Board of Public Works from time to time, permit an owner or occupant to tap or drain into e public sewer and to defer, in whole or in part, peyment of the obligation, upon the execution and delivery to the Utility of a note, mortgage, lien document or other

evidence of obligation ecceptable to the Utility. -3 All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real such adaptations prove nacassary to secure the results of ecceptable waste concentrations desired. The approval of proposed facilities end/or aquipment by the City does not in any wey guarentee that these facilities and/or equipment will function in the manner described by their constructor or menufacturer, nor shell it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the

intended purpose. Sec. 24-14 Pretreatment Facilities - Operation

Where such preliminary treatment facilities are provided, they shall be maintained, continuously, in setisfactory end effective operating condition at the owner's expense and shall be subject to pariodic inspection by the City. The owner shell maintain suitable operating records which shall be open to inspection by tha City, and shall submit to the Superintendent such monthly summary reports of the character of the influent and effluent as the Superintendent may require. Any industry affected by a faderal categorical standard shall comply with the reporting requirements of 40 CFR 403. 12.

Sec. 24-15 Reserved

Article III - Prohibited Industrial and Commercial

Discharges Sec. 24-16. Prohibitions end Limitations Except es hereinafter provided, no owner shall discharge or cause or permit to be discharged into the public sewer any of the following described substances, wastes, or waters:

-101 Any liquid or vapor having a temperature

greater then 140 degrees Fahrenheit

 102 Any waters or wastes containing more than 100 milligrams per liter of grease, oils, fets, or waxes. -103 Any gasoline, banzene, naptha, fuel oil, minerel

oil or eny other flammable or explosive solid, liquid or

-104 Any noxious or melodorous gas or substance which either alone or by interaction with other wastes. capable of creating a public nuisance or hazerd to life or of preventing entry into the sewers for their maintenance or repair.

-105 Any garbage that has not been properly pretreated end raduced per Sec. 24-1-116.

-106 Any ashes, cinders, sand, mud, straw, shavings, wood, metel, glass, rags, teathers, tar, plastics, paunch manure, butchers' offal, or eny other solid or viscous substances cepeble of ceusing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.

107 Any waters or wastes having a pH less than 6.0 or greeter than 10.0, or having any other corrosive property capeble of causing damage or posing hezards to the structures, equipment, or personnel of

-108 Any waters or westes containing toxic substences, as defined under Section 307 (b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the Sewage Treatment Plant or that will pess through the Plant into the receiving stream in amounts exceeding the standards set by federel, interstate, state or other competent

the operating costs of the Water Pollution Control Plant end a querterly eccounting tharaof shall be forwarded to the Superintendent. All such charges are to be used to defray the operations and meintenance expenses incurred by the Water Pollution Control Plant

in performing said analyses. Sec. 24-24. Use of Representative Analysis.

Until an adaquate analysis of a representative sample of user's wastes has been obtained, the City may, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by tha City, shall continue at the City's pleasure or until an adequate analysis hes been made.

Article V. Service Charges Based on Water Usage Sec. 24-25. Water Obtained from tha City's Water

The charges made for sewerage service rendered to

eech lot, parcel of real estate or building having any connection with the City's sewerage system or otherwise discherging sewage into the system, either directly or indirectly, shall be besed upon the quantity of watar presumed to enter tha public sewers efter being used In or on the property, as the quantity is measured by the watar matar or meters there in use by the City's Watar Utility, except as herein otherwise provided Sec. 24-26. Water Obtained from Other Sources.

Where the property obtains any part or all of the weter used from sources other than the City's Water Utility, the owner or the tenant may be required by the City to install and maintain at his own expense a metar or metars acceptable to the City for the quantity of water obtained from these other sources, or the City mey determine the quantity of such water by whetever means and mathods it may find relevant and precticable

Sec. 24-27. Exampt Water - Generel.

Where a significant portion of the metered water does not end cannot enter the sewerage systam, either directly or indirectly, the person having charge of the property mey request permission from tha City to install at his own expense either an approved meter or maters to determine the quantity of water that cennot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that ectually enters the sewerage system; when appropriate, the City reserves the righ to determine by whatever other meens and methods it may find practicable the percentage of the property's metered weter that enters the sewerage system. In any cese the service charge shall be besed on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user

Sec. 24-28. Metering of Sewege.

The City may require e person to install and maintain at his own expensa an approved device to measure directly the volumes of wastes discherged to the sewerage system if these volumas cannot otherwise be

requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of

\$90.00 per discharge point. Sec. 24-39. Revision of Ratas of Surcharg

Prior to May 1 of each yaer, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submi to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, end phosphorus from the Sawage Treatmen Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board mey determine whether the current retes of surcharge are adequate or should be changed and raquest legisletive enactment of said changes by the Common Council.

Article VIII. Billing of Service Charges Sec. 24-40. Billing Period. -1 Chargas tor sewerage service shall be computed end billed by tha General Office of the City Utilities. Bills shall be rendered approximataly monthly, unless additional billing is required to reflect custome changes, meter changes, service terminations, initia billings, or is otherwise required to adjust billing

-2 Billings for sewerage service shall be rendered with and shall be due and payable on the same due dete es billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine. Sec. 24-41. Liability for Payment.

-1 Charges for sewerege sarvica shell be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumer rasponsibility for payment. Notwithstanding billing to and assumption of responsibility by eny person charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including el penelties, racording faas, attorney's fees, interest and court costs, if any.

-2 The owner of the real estate shall heve the right to

exemine the Utility's records of billing and collection to a scertain whether such charges have been paid, and

the amount thereof.

-3 Nothing herein contained shall permit the owner or any person othar than the person being billed, to inspect, axamine or otherwise obtain confidentia information including the income, employment finences, or social security number of the person being

Sec. 24-42. First Billings.

The rates, charges and surcharges fixed in this chepter shall extend to and cover any edditional oremises hereafter served, without hearing or notice. the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the City's Wate

Sec. 24-43. City Subject to Charges.

For sewerage service rendered to the City, or an department, structure or property, thereof, the Cit

108. "Bulk Waste" - any containerized solid, uid or gaseous substence discarded or to be carded as worthless, defective, or of no use to the rson discarding said substance.

109. "Chemicel Oxygen Demend (COD)" - a Basure of the oxygen equivalent to that portion of organic matter in a sample of sewage, sewage luent, polluted weters, or industrial wastes that is sceptible to oxidetion by a strong chemical idant. The leboratory determinations shell be ade in accordance with procedures set forth in tanderd Methods.

-110. "City" - the City of Fort Wayne, Indiena. -111. "Clessification of Users"

111.1 "Domestic Cless User" - a user discharging ly normal domestic sewage, as herein defined,

o the system. 111.2 "Commerciel Class User" - a user falling thin Division G of the "Standard Industriel assification Manuel," 1972, United States Office Menagement and Budget as currently amended d supplemented. A copy is on file in the Office of Supervisor of Industrial Waste Control.

111.3 "Industrial Cless User" - a user felling thin Divisions A, B, D, E, or I of the "Standard Justriel Classification Manuel," 1972, United ates Office of Manegement and Budget, as rrently amended and supplemented. A copy is on in the Office of the Supervisor of Industriel Waste introl. A user described in the divisions listed rein may be excluded if it is determined, by the ty, that such user will introduca primarily gregeted domestic waste or waste from sanitary nveniences. Users not listed therein may be sluded in this class of customer because of the oduction of excess strength of waste or toxics in cess of limits described hereinafter.

1112. "Dwelling": a building, or a portion thereof, der one roof used primarily as the abode of one or pre persons, but not including hotels, motels,

Iging or boarding houses or tourist homes.
-113. "Effluent" - the water, together with any stes that may be present, flowing out of a drain,

wer receptedle or outlet. -114. "Emergency" - an unforeseen circumstence combination of circumstances that mey ceuse an ninent endangerment to the health end/or ffare of persons, the environment, or which may erfere with the operation of the sewer collection stem or the Water Pollution Control Plent.

-115. "Garbage" - any solid wastes from the aparation, cooking, or dispensing of food or from

handling, storage or sale of produce.
116. "Ground Garbage" - garba 116. "Ground Garbage" - garbage that is radded to such a degree that all particles will be rried freely in suspension under the conditions rmally prevailing in public sewers, with no particle ing graater than one-half (1/2) inch in env

117. "Industrial Wastes" - any solid, liquid or seous substance, or form of energy dischargad, rmitted to flow or escapa from an industrial. inufacturing, commercial or business operation process from tha development, recovery or

ulk Waste" - any containerized solid, the purposes of Articles VIII and IX of this

-5 Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tep permit for a special six inch service (such as e sewer tap into a collection system manhole) and a fee of ninety dollers (\$90.00) for eech sewer tep permit for a sewer service lergar then six-inches. The eforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making eech sewer tap and building of the sewer instelletion, the tap contractor or property owner shall notify the New Water end Sewer Permit Office of such connections so that an inspection mey be made by the Utility prior to backfilling the said sewer installation.

-6 No person shall connect eny roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to

e sanitery sewer of the City.

The Boerd of Public Works shall heve the authority to require en owner of real property to disconnect any downspouts, yerd drains, or other drains which carry the runoff of natural precipitetion from a building sewer which drains into a sanitary sewer. Property owners shell have thirty (30) days after notice thereof to comply with any such requirement

-8 A new connection may be made to a City sewer or sewars conected to the City system only after there has been adequete assurance by the City that the downstream facilities of the sewage works have e dequete capacity to transmit end treet the new weste

-9 No person shall make use of e sewer tep or backfill or otherwise conceel a sewer installetion unless end until the same has been inspected and epproved by the Utility. In addition to all other remedies, the Utility may cause the seid installation of sewer tap to be excevated and exposed, may terminate the connection, and may require the owner or occupant to pey or reimburse the Utility for its costs and expense in such excavetion. axposure, termination, reconnection and restoration. Such costs end expenses shall be considered as cherges for sewerage treatment services and mey be collacted in accordance with the provisions of Indiana Code 36-9-23-31, through 36-9-23-34 and Articla IX of

Sec. 24-4. Extensions of Sewers Outside Corporate

The installation, construction, or extension of sanitary sewers by privata davelopers or by the City outside the corporate limits of the City and the connection of said sanitary sawers into the City's sewerage system from, by, to, or for properties located outsida such limits is prohibited, except with the approval of the Board of Public Works by duly enacted resolution, provided that a resolution ratifying an agreement and/or contract for such construction

Saction 405 of seid Act.

-109 Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they ere properly diluted before being discharged into the sewerage system, as further defined in the General Rules end Regulations.

-110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour

period of normal operation.

-111 Any weters or wastes conteining suspended solids of such cheracter and quantity that unusuel provisions, attention and expense would be required to hendle such materials at the Sewage Treatment Plant, its pumping stations, or other facilities.

-112 Any waters or wastes containing incompatible

pollutants as herein described.

-113 Any waters or wastes conteining any toxic substances in quentities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, thet will pass through the plent into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations, set forth by any federai, state, interstate, or local authority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules end Reguletions.

-114 Any bulk waste, either industrial or domestic without prior written approvel of the Superintendent.

-115 The City reserves the right to refuse, deny or ravoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the utility or in the event the user is or has been in repeated violetion of this Ordinance. The City further reserves the right in the evant of any emergency, to restrict the allowable discherga received from any or all large users of the sewerage system during the time of such emer-

gancy.
Sec. 24-17 Responsibility for Obstructing or

**Dameging Sewers** 

If a public sewer becomes obstructed or damaged because eny of the aforementioned substances were improperly discharged, the parson or persons responsible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repairing, rabuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.

Article IV - Control of Admissible Industrial and

Commercial Wastes

Sac. 24-18. Submission of Data on Industrial Waste. -1 Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industriel Wasta Questionnaire, the form for which will be furnished by the City in which he shall set out the quantity and characteristics of the wastes discharged into the City's sewerage system. Any owner desiring to establish a new account with utility and seweraction stables are several to the coupling seweraction setablishes new account with utility.

instellation and no such service, once installed, shall be charges established in harmony herewitti.

Sec. 24-44. Consolidation of Accounts.

Sec. 24-29. Reserved

Where an industrial, commercial or other non-resi

Article VI. User Cherges

Sec. 24-30. User Volume Charges.

The weter usage schedule upon which cherges for services rendered by the Sewer Utllity shall be based on water consumption unless otherwise metered or axempted in accordance with the following user classifications and the following charges for services for eech such classification:

for eech such classification:
Service Cherge (cents per 100 cu. ft.)
Cless of User, Domestic; Manufacturing, Treatment
20.52; 20.52. Conveyanca, Collection, Billing 19.96;
13.01. Capital 12.84; 10.33. Pretreatment Administretion -0-; 2.50. Total User Charge 53.32; 46.36.
Sec. 24-31. User Minimum Charges.

In the event the monthly sewage service charge calculated in eccordence with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for eech cless of user es set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water

Water Meter Size	Minimum Monthly Cherge
5/8 - 3/4"	\$ 2.66
1 - 11/2"	9.40
2''	19. 17
3''	38.52
4"	64.04
6" or larger	177.87
Sec. 24-32. User Flat Char	ges.

In the event any user is not a metered water customer, there shall be imposed flet charge rates as

follows:

Classification of Customer, Monthly Flat Cherga (1), In-City, Out-City, Domestic User-Single Femiliy Dwelling, \$5.33; \$6,39. Domestic User - Multi Family Dwelling, To be estimated by City. Commercial and Industriel User, To be estimated by City.

(1) Monthly flet charges for multi-femily dwellings shall be besed on the number of femily units accommodeted by the system multiplied by the single femily dwelling monthly charges. Monthly flet cherges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retein documentation supporting its astimates and the billings based thereon. Such determinetion of billings may be reviewed and edjusted by the Utility at any time. However, no adjustment, additional charge or refund mey be made more than six (6) years after the dua date of the billing sought to be adjusted. Sac. 24-33. Contract Customars - Unit and Other

In the event the City consummates a contract to serve es a regionel treatment plant for any other municipality or private sawage utility, either contiguous to the City or in its environs, said contract shall provide for the the following unit chergas:

-1 Voluma Charge (cants per 100 cu. ft.)

Treatment Capital Charge

dential enterprise is opereting in a unified menufacture ing or service area composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings mey be made for the purpose

of calculating the sewerage service charge.

Sec. 24-45. Notice of Cepital Surcharge.

The City Clerk shall certify e copy of Specia
Ordinance No. S-233-81, enected October 28, 1981 and all amendments thereto, heretofore or hereafte adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchesers of real property in Adams Township and St Joseph Township that e capital surcherge mey no imposed upon properties connected to, or to be connected to, the City Utility Sewerege System, in those arees of said townships formerly served by sewerage systems purchased or otherwise acquired by the City Utility.
Article IX. Delinquent Accounts

Sec. 24-46. How Delinquencies Arise.

Charges for sewerage service levied pursuent to this Chapter shall be due and peyeble on or before the due date steted on the bill. Any charge for sewerege service not paid by the due data shall be delinquent and may be collected, with any applied penalty recording fees, service charges, attorney's fees interest and court costs, if any, in accordance with thi Chapter and with Indiana Code Sections 36-9-23-3 through 36-9-23-34. A penalty of tan percen (10%) of the emount of the charges for sewerage service shell be attached to the delinquent cherges.

Sec. 24-47. Collection Through Shutting Off Water

Where the property having a delinquent account to charges for sewerage service is served by the City Weter Utility, the Utility may, efter reasonable notice the person being billed, as provided by the Rules an Regulations of the Utility adopted by the Board c Works, shut off water service to the property. Wete sarvice shall not be restored until the delinquer account, together with the costs of turning off and turning on the water, shall have been peid.

Sec. 24-48. Collection Through Teminating Sewe

In addition to all other remedies provided, the Utilit mey, after reesonable notice to the person being billed provided by the Rules and Regulations the Utility adopted by the Board of Works, terminat seweraga service to the property. Sewerage service shall not be restored until the delinquent accountogether with the costs of terminating and reconnect ing the sewer service, shall have been paid. Sec. 24.49 List of Delinquent Faes and Panalties

Tax Duplicates - Collection.

Dalinquent charges for saweraga services, an epplied penalties, recording fees, and service charge may be made a lian upon the property and may be collected in accordance with the provisions of Indian Code 36-9-23-32 end 36-9-23-33.

Sec. 24-50, Collection Through Court Actions.

-118. "Influent" - the water, together with envistes that may be present, flowing into a drain,

wer, recaptacle or outlet.

"Major Industrial User" - a user of the y-owned treatment works that: (a) has a flow of ,000 gallons of water or more per avarage work v: (b) has a flow of waste greater than 5% of tha w carried by any part of the City system receiving a waste, (c) has in its waste, a toxic pollutant in nounts as defined in standards issued under action 307 (a) of the Federal Act; or (d) is found by e Indiana Stream Pollution Control Board, in nnaction with the issuance of the NPDES Permit the City-owned treatment works receiving the aste, to have significant impact whether singularly in combination with other contributing industries, that treatment works or upon the quality of fluent from that treatment works.

120. "Normal Domestic Sewage" living an average daily suspended solids concenation of not more than 300 milligrams per liter, are rerage daily BOD concentration of not mora than 00 milligrams per liter, and an average daily cosphorus concentration of not more than 10

lligrams per liter.

-121. "NPDES Parmit" - the National Pollutent scharge Elimination Systam Permit issuad by the diana Stream Pollution Control Board for discharges wasta watera to navigable waters of the United tates pursuant to Section 402 of 33 U.S.C. 466. -122. "Operation and Maintananca Costs" - all

osts direct and indirect, other than debt servicas cluding raplacement costs as defined in pararaph 128, necessary to insure adequata waswater treatment on a continuing basis conforming 1th federal, state or local requiramants, and to sure long-term facilities management.
1-123. "Outlet" - any outlet, natural or constructed,

hich is tha point of final discharge of sewage or of aatment plant effluent into any watarcoursa, ond, ditch, lake or other body of surface or ground

-124. "Person" - any individual, firm, partnarship, ompany, municipal or private corporation, comnarcial establishmant, association, society, institu-on, anterprisa, govarnmental agency or other legal

nit or entity.
-125, "pH" - the logarithm (to the base of 10) of the aclprocal of the hydrogan ion concantration of a olution expressed in gram-atoms per liter of

"Pollutants" -

126.1 "Compatible Pollutants" - waste containng blochamical oxygan demand, chemical oxygan lemand, suspended solids, phosphorus, pH, end scel collform bacteria

126.2 "Incompatible Pollutents" - wastes with my pollutant that is not a compatible pollutent such is "slug load" that would cause damage to the

ewage system and/or treatment plant.

127. "Receiving Stream" the waterquirae, tream or body of water receiving the waters finelly lischarged from the sewage treatment plant.

Sec. 24-5. Connections to Sewerage System by Certain Out-of-City Properties.

Notwithstanding the provisions of Sec. 24-4, the Board of Public Works shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sanitary sawar which is part of the City's sewerage system, when the property abuts, adjoins, or is immediately contiguous to the street, alley, or easement in which such sewer is located and provided the property owner or occupant has complied with the requirements prescribed by Sac. 24-3 of this Chepter. Sec. 24-6. Enforcement

The provisions of this Chapter shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendant or any such

deputy shall deem it appropriate to charge a landowner with a violetion (s) of this Chapter, he shall issue to such landowner a Notice of Violation, and/or Summons, which shall be processed according to

tha provisions of Indiana Code (34-4-32-1) Sec. 24-7. Penalty for Violations

Any landownar, firm or corporation who violatas or fails to comply with any provision of this Chepter or of Rules and Regulations of the Board of Public Works perfaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof be subject to a fine of up to \$1,000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that such violation (s) or noncompliance continues shall constitute e separate offense

Sec. 24-8. Damege to City Property Prohibitad.
It shall be unlawful for any unauthorized person, firm, or corporation to maliciously, willfully, or negligently braak, damage, destroy, remove, deface, or tampar with any structura, appurtenance, or equipment which part of the City sawage system or belongs to the later Pollution Control Plant of the City.

Sac. 24-9 Dilution

It shall be unlawful for any person, firm, or corporation to increase the use of potable water or procass water in any way, or mix separate wastestreams for the purpose of diluting a discharge as a partial or complate substitute for adequate treatment to achieve compliance with applicable standards

Sec. 24-10 Accidental Discharges

-1 Each dischargar must provide protection from accidental discharge of prohibited or regulated materials or substances to sewers of tha City of Fort Wayna. Where necassary, procadures and facilities to prayent the accidental discharge of prohibited matarials must be provided and maintained at the dischargar's expensa. Detailed plans showing facilities and oparating procadures to provide this protaction shall be submitted to the City for review, and ba approved by the City bafore construction of the facility. Review and approval of plans and operating procedures by the City shell not raileve the discharger from the responsibility to modify its facility as

euch a questionnaire which shall set out the actual or predicted data relating to the quantity and characteristics of the wastes to be discharged.

-2 Any person who knowingly mekes any false statement representation, or certification in any application, report, or other document required by tha municipal ordinance or other applicable regulations shall, upon conviction be punished by the imposition of a civil penalty as required by local and/or state

statutes.
-3 When special circumstances render it an unreasoneble burden to comply with the time schedule daterminad by the Utility for the correction of any industrial waste discharge problem, an extension of time, not to exceed 90 days, may be granted by the Superintendent upon presentation in writing of an application for such relief.

Sec. 24-19. Confidential Information.

Information and data furnished to the City by a discharger shall be made evailable to the public or other governmental agency without restriction unless the discharger specifically requests and is able to demonstrate as per 40 CFR 2.203 and 330 IAC. 5-1-5-8 that the release of such information would divulge information, methods of production entitlad to protection as trade secrets, or properiety information of the discharger. All requests, by tha discharger, for confidentiality of information shall be made in accordance to and govarned by the provisions of 330 IAC 5 and 40 CFR 2

Sec. 24-20. Control Manholes.

Any owner who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, etc., shall be raquired by the Suparintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sempling of owner's waste. Such manholes shall be constructed in accordance with the standards and spacifications of the City. The superintandent may also raquire the person to install and maintain in any such manhole, at said person's expense, an approved voluma-maasuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

Sec. 24-21 Greese and Sand Traps

Whenever the Superintendent datarmines that interceptors or traps are needed to protect the sewerage collection system or the Sewage Treatment Plant from greasa, oil, sand, or similar substancas occurring in the user's sewage and so notifias the user, than such traps shall be promptly installed by the user, on owner's lines, at owner's expanse and ahall be so maintained by owner that none of such substances can be carriad over into the public sewers. All traps or interceptors shall meet the City's standards as to construction, location, and installation.

Sec. 24-22 Waste Sampling.

-1 Any industrial wasta discharged into tha public sewers shall be subject to periodic inspections and the

set by tederal, interstate, state or other competent

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated tharewith used by the contract customer shall be computed by the

City and added to the volume charge.
-3 Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pey a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.

-4 Excess Strength of Wastes Surcharge

In the event a contract customer contributes weste heving a strength in excess of domestic waste charactaristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

Cents Per Pound Suspended Solids - (SS) 4.304 Biochemical Oxygen Demand - (BOD) Phosphorus - (P) 4.300

-5 Capital Surcharga

In the avent contract customer delivers sewage for traatmant to City for e pariod of 90 consecutive days which is in excess of basa MGD contracted for, then customer will be subject to an additional capital charga computed at the capital charga (per 100 cu. than in affect times the axcess percentage of MGD represented by dividing actual MGD by contracted MGD.

-8 Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this Chapter, tha City shall hava the right to impose all chargas, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sawer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations undar Sac. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgatad theraunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

Industrial - For all industrial waste suitable for disposal directly through the plant digestars which has been delivered by the Customer to City's plant -\$178.50 per load. For purposas of computing charges haraunder, a load is defined as 5000 gallons of tank capacity or fraction theraof.

Domestic - For all domastic waste dalivered to plant

by customer's truck or tank - \$26.10 per load. For purposes of computing cherges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction

thereof.

Sac. 24-35. Annuel Review of Service Cherges. Prior to May 1 of each year, the General Auditor of a civil action, and may foreclose e lien established b this Chapter in eccordence with Indiana Cod 36-9-23-34.

Sec. 24-51. Reserved.

Article X. Accounting for Sewerege Servic Charges Sec. 24-52. The City Controllar shall establish an

maintain, for as long as user chargas and surcharge era collected under the rate schedule institute herein, eccounts for the Sewage Works Improvement Fund as required by prior ordinances relating to the issuance of sewage works revanue bonds no outstanding and further in accordance with the laws the State of Indiana relative to the deposit an disbusement of public funds.

Sec. 24-53. Sevarability.

-1 The invalidity of any section, sentence, clause paragraph, part or provision of this Ordinance shall no affect the validity of any other section, sentence clause, peregraph, part or provision of this Ordinance. which can be given meaning without such invalid pa or parts.

-2 All Ordinancas or parts of Ordinances a sections of the Municipal Code of the City of Fo Wayne of 1974 in conflict herawith ara herek

repealed.

-3 That this Ordinanca shell be in full forca end affe from and after its passage, eny and all nacessa approval by the Mayor and due legal publication thereof. Thomas C. Hen

COUNCIL MEMBE

Read the third tima in full and on motion by Hani Head the third tima in full and of infoliotil by hair seconded by Redd, and duly adopted, placed on i passaga. PASSED by the following vote: Ayes: Seve Bradbury, Eisbart, GlaQuinta, Hanry, Radd, Stic Talarico. Nays: Two, Burns, Schmidt. Date: 7-24-8
Sandra E. Kennedy, City Cle
Passed and adopted by the Common Council of ti

Fassed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance N G-17-84 on the 24th day of July, 1984.

ATTEST: Sandra E. Kennedy, City Cle Ben A. Eisbart, Presiding Office Presented by me to the Mayor of the City of Fc Wayna, Indiana, on the 25th day of July, 1984, at it hour of 11:30 A.M., E.S.T.

Sandra E. Kennedy, City Clei

Sandra E. Kennedy, City Cler Approvad and signed by ma this 25th day of Ju 1984, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr., May I, the Clerk of the City of Fort Wayne, Indiana hareby certify that the above and foragoing is a future and complete copy of General Ordinance NG-17-84, passed by the Common Council on the 24 day of July, 1984, and that seid Ordinance was de signad and approved by the Mayor on the 25th day July, 1984, and now remains on file and on record in r

WITNESS my hand, and the official seal of the City Fort Wayne, Indiana, this 25th day of July, 1984. SANDRA E. KENNEDY, CITY CLEF

department, structure or property, thereof, the City shall be subject to the same rates and charge

sewerage system it these volumes cannot otherwise be

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Allen	nmental Unit)			P.O. BOX 100 FORT WAYNE, INDIANA
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BILL NO. G-84-06-22

GENERAL ORDINANCE NO. G-17-84

AN ORDINANCE REPEALING CHAPTER 24 OF THE FORT WAYNE MUNICIPAL CODE AND SUBSTITUTING AND ENACTING THEREFOR A NEW CHAPTER 24 ENTITLED "SEWERS AND SEWER-AGE SYSTEM" FOR THE PURPOSE OF ADJUSTING RATES AND OTHER PROVISIONS SET FORTH THEREIN.

WHEREAS, the Common Council now finds that the fees charged for services rendered by the Sewage Works owned and operated by the City of Fort Wayne are not sufficient to maintain the Sewage Works in the sound physical end financial condition necessary to render adequate and sufficient service end that said fees are not sufficient to pay all expenses to operete end maintein the Works; to pay interest charges on bonds or other obligations; to provide the sinking fund required for revenue bonds heretofore issued; to provide edequete money to be used as working capital; to provide adequate money for improving and replecing the Works; and to provide the emount of money sufficient to compensate the City for the property taxes that would be paid on the Sewage Works if the Sewage Works were privetely owned; end,

end,
WHEREAS, certain terms and conditions incident to
the rendering of efficient and non-discriminatory
service to users of the Sewege Works should be
amended and revised to reflect current operating

amended and revised to reflect current operating conditions; and,
. WHEREAS, the City of Fort Weyne has been mandeted by state and federal regulatory authoritias to adopt end enforce pretreatment standards end requirements for certain of its contributing industrial users thereby causing in future periods e reduction inthe strength end toxicity of effluent discharged to City sewers by said industrial users;
. NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;
. SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, as presently enacted, is repealed in its entirety and substitued therefor shall be an amended and revised Chapter 24 es attached hereto and made e part of this Ordinance.

es attached hereto and made e part of this Ordinance.
SECTION 2. That this Ordinance be adopted after e public hearing has been held pursuant to I.C. 36-9-23-26 and duly published notice thereof pursuant to I.C. 53-1.

SECTION 3. That in addition to the "Annual Review of Service Charges" prescribed in Sec. 24-35 of Chapter 24 that the Sewage Works undertake e study of strength of waste discharges of its contributing industrial users for e period of one (1) year commencing July 1, 1984 for the purpose of establishing pretreatment credits which may be epplicable to said industrial users. A schedule of pretreatment rate credits, if deemed to be justified in accordance with Sec. 24-35a of Chapter 24 will be presented tor consideration to the Common Council no later than 90 days after June 30, 1985.

SECTION 4. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Thomes C. Henry COUNCILMAN

SEWERS AND SEWERAGE SYSTEM Sec. 24-1. Definitions.

Sec. 24-1. Detnitions.
Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter end as used in the rules end reguletions edopted by the Board of Public Works implementing the provisions of this Chapter are es set out below

Chapter end as used in the rules and reguletions the edopted by the Board of Public Works implementing the provisions of this Chapter are es set out below respectively.

-101. "Act": the Federal Water Pollution Control Act, also known as "The Clean Water Act," as emended, 33 U.S.C. 466, as referred to et I.C. 13-1-4-1.

-102. "Applicable Pretreatment Stenderds" - Any pretreatment limit or prohibitive stendard (Federal, State, and/or Local) contained in the ordinance end considered to be the more restrictive with which non-domestic users shall be required to comply.

-103. "Biochemical Oxygen Demand (BOD)" - the quantity of dissolved oxygen, in milligrems per liter, able orgenic matter by aerobic blochemical ection of sewege, sewage effluent, polluted waters, or industrial wastes under standard leboretory procedures for five deys at 20 degrees centigrade. The salaboratory determinetions shall be mede in eccordustrial wastes under standard leboretory procedures for five deys at 20 degrees centigrade. The salaboratory determinetions shall be mede in eccordustrial wastes under standard leboretory procedures set forth in "Stenderd dance with procedures set forth in "Stenderd da

-128. "Replacement Cost" - that cost, stated in current monetary values, as an operating cost which reprasents and measures the day-to-day consumption and attrition of physical assets in rendering service to users.

-129. "Sanitary Sawege" - sewege discherged from the senitary conveniences of dwellings, epertment houses, condominiums, motels, hotels, lodging or boarding house, offica buildings, factories or institutions and free from storm waters, surfece weter and industrial wastes.

-130. "Service Charge" - the besic assessment levied on all users of the public sewere ge system for westes which do not exceed in strength the concentration values above which a strength-of-waste surcharge will be made.

-131. "Sewage" - the water-cerried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface, end storm weters as may be present.

-132. "Sewage Treetment Plent" or "Weter Pollution Control Plent" - the arrengement of devices, structures end equipment used for treeting and disposing of sewege and sludge.

-133. "Sewage Utility" or "Water Pollution Control Works" - all facilities end systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewerage collection system and the sewege treatment plent, whether or not in ective use.

-134. "Sewage" - a pipe or conduit for carrying sewage and other waste liquids as differentiated in the sewer which carries storm, surfece, and groundwes.

sewage and other waste liquids as differentiated below:

134.1 "Combined or Combination Sewer" - e sewer which carries storm, surfece, end groundweter runoff es well as sewage.

134.2 "Public Sewer" - a sewer to the use of which ell owners of ebutting property heve equal rights and is controlled and maintained by the City or other public authority.

134.3 "Sanitary Sewer" - a sewer which carries sanitary sewage and to which storm, surface, groundweters and unpolluted industrial weste waters are not intentionally edmitted.

134.4 "Storm Sewer" - a sewer which cernies storm, surface and groundwater dreinege but excludes sanitary sewage.

-135. "Sewer Engineer" - tha Chief Sewer Engineer of

-135. "Sewer Engineer" - tha Chief Sewer Engineer of the City or his duly authorized representetive; the term is synonymous with the term "Weter Pollution Control

Is synonymous with the term weter clutters of severs Engineer."

-136. "Sewerage System" - the network of sewers and appurtenances used for collecting, transporting end pumping sewage to the Sewage Treatment

int. -137. ''Shall'' means mandatory; ''mey'' meens

Plant.

-137. "Shall" means mandatory; "mey" meens permissible.

-138. "Standard Methods" - the examination end enalytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Weter and Wastewater," published jointly by the American Weter Works Associetion end the Weter Pollution Control Federation, a copy of which is on file in the Office of the Superintendent of the Wester Water Pollution Control Plant.

-139. "Strength-of-Waste Surcherge" - the additional charges for sewage service collected from users discharging sewage into the system having estrength meesurement in excess of the limits imposed by the provisions of this Chapter,

-140. "Superintendent" - the SuperIntendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the City, or his duly euthorized representative,

tive. 1.1. "Suspended Solids" - solids which either float on the surface of or are in suspension in weter, sewege or other liquid and which are removeble by in milligrams per liter. Ouentifetive determinetions are mede in accordance with procedures set forth in "Stendard Methods." - 142. "Waste Surveillance Cherge" - e monthly charge collected from users, qualifying es industriel or commerciel class users, to defrey the cost of evelueting that user's waste by metering, sampling, leboratory analysis, and/or other methods deemed ere subject to review annuelly es provided in Section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39. "Watercourse" - e changel in which the section 24-39.

ere subject to review annuelly es provided in Section 24-39.

-143. "Watercourse" - e chennel in which a flow of weter occurs either continuously or Intermittently. Sec. 24-2. Rules and Regulations - Board of Works Authority.

The Boerd of Public Works of the City shell, In accordance with the Stetutes of the Stete of Indiane, and subject to the provisions and requirements of this Chepter, make end enforce eppropriate rules and reguletions for the safe, economicel end efficient menegement end operation of the City's Sewage Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerege system; for the regulation, collection, and refunding of rates and charges for sewerage service; and for the implementation of the provisions of this chepter.

Sec. 24-3. Requirements for Connection to Public

Sewers.

-1 No owner or occupent of any real property shell tap or drein either directly or indirectly into eny public sewer until a sewer tep permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements end pro rete sheres of sewer extension costs laid egeinst that property for public sewers which serve it. A sewer tep property for public sewers which serve it. A sewer tep permit given in error shell not operate to nullify any such obligation that has been duly recorded nor estop the City from cherging and collecting such costs at any subsequent time.

-2 Notwithstanding the toregoing, the Utility may, in accordance with policies and procedures edopted by the Boerd of Public Works from time to time, permit an owner or occupant to tao or drainint a publication.

noncomplience continues shall constitute a sepai

noncomplience continues shall constitute a separ offense.
Sec. 24-8. Demage to City Property Prohibited Itshall be unlawful for any unauthorized person, fi or corporation to meliciously, willfully, or negliger breek, demege, destroy, remove, deface, or tam with eny structure, eppurtenance, or equipment whis pert of the City sewage system or belongs to Weter Pollution Control Plent of the City. Sec. 24-9 Dilution It shall be unlawful for eny person, firm, corporation to increase the use of potable water process weter in eny way, or mlx separe wastestreams for the purpose of diluting e discharmas e partiel or complete substitute for edeque treetment to echieve complience with applications.

treetment to echieve complience with applicat standards.

Sec. 24-10 Accidental Discharges

-1 Each discharger must provide protection fro accidental discharge of prohibited or regulate meteriels or substences to sewers of the City of Fc Weyne. Where necessary, procedures end fecilities prevent the accidental discharge of prohibite meteriels must be provided and maintained et the discharger's expense. Detailed plans showing facilities and operating procedures to provide this protectio shall be submitted to the City for review, and be approved by the City before construction of the fecility. Review and epproval of plans and operating procedures by the City shall not relieve the discharge from the responsibility to modify its facility a necessary to meet applicable federal, state and location.

necessary to meet applicable federal, state and loce requirements.

2 Dischargers shall notify the Superintendent of the Water Pollution Control Plant, or his representative Immediately when a "slug load" or eccidente discherge occurs. A written report shell be submitted within five (5) deys of incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume, and corrective actions taken. Any industrial user who discharges a "slug load" of prohibited materials will be lieble for eny expense, including loss or damage to the Weter Pollution Control Utility sewerage system in addition to the amount of any fines imposed upon the City under state or federal law.

3 Signs must be permanently posted in conspicuous places on the discharger's premises, advising employees whom to cell in the event of an accidental discharge. Employers shall instruct all employees who may cause or discover such a discherge as to the emergency notification procedures.

Article II - Permitted Commercial and Industrial Westes
Sec. 24-11. Prior Approval for Certain Wastes.

Article II - Permitted Commercial
Westes
Sec. 24-11. Prior Approval for Certain Wastes.
Review and ecceptance by the Superintendent shall
be obtained prior to the discharge into the public
sewers by any commercial or industrial cless customer
of sewage whose wastes heve:
-101 Either a BOD content greeter than 300
milligrams per liter or a COD greater than 600
milligrams per liter.
-102 A suspended solids content greeter than 300
milligrams per liter.
-103 A phosphorus content greater than 10
milligrams per liter.

nilligrems per liter.

103 A phosphorus content greater than 300 milligrems per liter.

104 Other Contaminants which from either nature or quentity will: (a) interfere with the operation of eny treetment works or otherwise be incompatible with such works; (c) prevent the reclametion end/or recycling of municipal or industriel wasteweters and sludges.

Sec. 24-12. Pretreatment Facilities - General When, after making such e review, the Superintendent concludes thet, before the owner discherges weste into the public sewers, the owner must modify or eliminete those constituents which would be harmful to the structures, processes, or operations of eny portion of the Sewege Utility or injurious to heelth, then thet owner shell either modify the wastes at the point of origin or shell provide and operate, at owner's expense, such preliminary treetment and processing fecilities as mey be deemed necessary to render owner's weste ecceptable for admission into the public sewers.

sewers. Sec. 24-13. Pretreetment Facilities - Prior

sewers.
Sec. 24-13. Pretreetment Facilities - Prior Approvel
Plens, specifications, end eny other pertinent information relating to proposed preliminery treatment or processing facilities shell be submitted to the Cityforexaminetion end epprovel. No construction of such facilities shell begin until the Superintendent has given written epproval. Such approvel shall not exempt the person from the obligation to make further reasonable adaptations of such facilities when such adaptations prove necessary to secure the results of acceptable waste concentrations desired. The approval of proposed facilities and/or equipment by the City does not in any way guarentee that these facilities end/or equipment will function in the menner described by their constructor or manufacturer, nor shell it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to eccomplish the intended purpose.

otherwise modifying such facilities to eccomplish the intended purpose.

Sec. 24-14 Pretreatment Facilities - Operation Where such preliminary treetment facilities ere provided, they shall be meintained, continuously, in satisfactory and effective opereting condition et the owner's expense end shall be subject to periodic inspection by the City. The owner shall maintain suitable operating records which shell be open to inspection by the City, and shall submit to the Superintendent such monthly summary reports of the cheracter of the influent and effluent as the Superintendent may require. Any industry effected by a federal cetegorical standerd shall comply with the reporting requirements of 40 CFR 403.12.

Sec. 24-15 Reserved
Article III - Prohibited Industrial and Commercial

Discharges Sec. 24-16. Prohibitions end Limitation

connection shall be where the end of the first pipe meets the end of the fitting end the said T or Y fitting shall be considered a part of the building

swer.

-108. "Bulk Waste" - any containerized solid, liquid or gaseous substance discerded or to be discarded as worthless, defective, or of no use to the person discerding said substance.

-109. "Chemical Oxygen Demand (COD)" - a measure of the oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters, or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be mede in accordance with procedures set forth in "Standard Methods."

-110. "City" - the City of Fort Wayne, Indiane.
-111. "Classification of Users"

111.1 "Domestic Class User" - a user discharging only normal domestic sewage, as herein defined, into the system.

into the system.

111.2 "Commercial Class User" - a user falling within Division G of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget es currently amended

of Management and Budget es currently amended and supplemented. A copy is on file in the Offica of the Supervisor of Industrial Waste Control.

111.3 "Industrial Class User" - a user felling within Divisions A, B, D, E, or I of the "Standard Industrial Clessification Manual," 1972, United States Office of Management end Budget, as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control. A user described in the divisions listed herein may be excluded if it is determined, by the City, that such user will introduce primarily segregated domestic waste or waste from sanitery. segregated domestic waste or waste from sanitery conveniences. Users not listed therein may be included in this class of customer because of the

conveniences. Users not listed therein may be included in this class of customer because of the production of excess strength of weste or toxics in excess of limits described hereinafter.

112. "Dwelling": a building, or a portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.

-113. "Effluent" - the water, together with eny wastes that may be present, flowing out of e drain, sewer receptacle or outlet.

-114. "Emergency" - en unforeseen circumstance or combination of circumstances that mey ceuse an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plent.

-115. "Garbege" - any solid westes from the preparation, cooking, or dispensing of food or from the handling, storage or sale of produce.

-116. "Ground Garbage" - garbage that is shredded to such a degrae that all particles will be carried freely in suspension under the conditions normelly prevailing in public sewers, with no particle being greater than ona-helf (½) inch in any dimension.

-117. "Industrial Wastes" - any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business operation or process from the development, recovery or processing of any natural resource carried on by any person.

-118. "Influent" - the water, together with eny

processing of any national person.

-118. "Influent" - the water, together with eny wastas that may be present, flowing into a drain, sewer, receptacle or outlet.

-119. "Major Industrial User" - a user of the control works that: (a) has a flow of wastas thet may be present, flowing into a drain, sewer, receptocle or outlet.

-119. "Major Industrial User" - a user of the City-owned treatment works that: (a) has a flow of 50,000 gallons of water or mora per averaga work day; (b) has a flow of weste greeter than 5% of the flow carried by any part of the City system receiving the waste; (c) has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307 (e) of tha Federal Act; or (d) is found by the Indiena Stream Pollution Control Board, in connection with the issuance of the NPDES Permit to tha City-owned treatment works receiving the waste, to have significant impect whether singularly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

-120. "Normal Domestic Sewage" - sewage having an average daily suspended solids concentration of not more than 300 milligrams per liter, an average daily BOD concentration of not more than 300 milligrams per liter, and en average daily bnosphorus concentration of not more than 10 milligrams per liter, and en average daily bnosphorus concentration of solid more than 10 milligrams per liter, and stream Pollution Control Board for dischargas of waste waters to navigeble waters of the United Stetes pursuant to Section 402 of 33 U.S. C. 466.

Indiana Stream Pollution Control Board for dischargas of waste waters to navigeble waters of the United Stetes pursuant to Section 402 of 33 U.S.C. 466.

-122. "Operation and Meintenence Costs" - all costs direct and indirect, other then debt services including replacement costs es defined in paragraph 128, necessary to insure adequate wasteweter treatment on e continuing basis conforming with federal, state or tocal requirements, and to insura long-term facilities managament.

-123. "Outlet" - eny outlet, natural or constructed, which is the point of final discharge of sewege or of traatment plant effluent into eny watercourse, pond, ditch, lake or other body of surface or ground weter.

weter.

-124 "Person" - any individual, firm, pertnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.

-125. "pH" - the logarithm (to tha base of 10) of the reciprocal of the hydrogen ion concentration of a solution expressed in gram-atoms per liter of solution.

solution.
-126. "Pollutants" 126.1 "Compatible Pollutants" - weste contain-

-4 installments of oeterreo obligations, including any finance charges or interest chargeable thereon, shell be deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this

the purposes of Articles vi...

Ordinance.

-5 Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shell be contractors, who was a purpose of lifty dollars. City's New Water and Sewer Permit Office and shell be issued only to licensed sewer tap contractors, who shell pay to the Sewage Utility e fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for eech sewer tap permit for e sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not leter than 48 hours efter making each sewer tap and building of the sewer instelletion, the tap contrector or property owner shall notify the New Water and Sewer Permit Offica of such connections so thet an inspection may be made by the Utility prior to

Water and Sewer Permit Offica of such connections so thet an inspection may be made by the Utility prior to backfilling the said sewer installation.

-6 No person shell connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to e building sewer or building drein which is connected either directly or indirectly to a sanitary sewer of the City.

-7 The Board of Public Works shall have the authority to require en owner of real property to disconnect any downspouts, yard dreins, or other dreins which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with eny such requirement.

after notice thereof to comply with eny such requirement.
-8 A new connection may be made to a City sewer or sewers conected to the City system only efter there has been edequate assurance by the City thet the downstream facilities of the sewage works have adequate capacity to transmit and treat the new waste loadings.

loadings.

-9 No person shall make use of a sewer tap or beckfill or of therwise conceal a sewer installation unless end until the seme has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be accavated and exposed, may terminate the connection, and may and exposed, may terminate the connection, and may require the owner or occupant to pey or reimburse the Utility for its costs and expense in such excavation, axposure, termination, reconnection and restoration. Such costs and expenses shell be considered es charges for sewerage treetment services and may be collected in accordence with the provisions of Indiena Code 36-9-23-31 through 36-9-23-34 and Article IX of

Sec. 24-4. Extensions of Sewers Outside Corporete

Sec. 24-4. Extensions of Sewers Outside Corporete Limits.

The installation, construction, or extension of sanitary sewers by private davelopers or by the City outside the corporate Ilmits of the City and the connection of sald sanitary sewers into the City's sawerage system from, by, to, or for properties located outside such limits is prohibited, except with the approvel of the Board of Public Works by duly anacted resolution, provided that a resolution retifying an egreament and/or contract for such construction and connection, shall be deemed to constitute such approval.

Sec. 24-5. Connections to Sewerage System by Certain Out-of-City Properties.

Notwithstanding the provisions of Sec. 24-4, the Board of Public Works shall have the authority to parmit e property located outside the corporate limits of the City to connect to an existing senitary sewer which is part of the City's sewerage system, whan tha property abuts, edjoins, or is immediately contiguous to the street, elley, or easement in which such sewer ie located and provided the property owner or occupent has complied with the requirements prescribed by Sec. 24-3. Enforcement

The provisions of this Chapter shall be enforced by tha Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may eppoint for such purposes. Whenever seld Superintendent or eny such deputy shall deem it appropriate to charge a landowner with a violation (s) of this Chapter, ha shall issue to such landowner a Notice of Violation, and /or Summons, which shall be processed according to the provisions of Indiane Code (34-4-32-1).

Sec. 24-7. Penalty for Violations

Any landowner, firm or corporetion who violates or falls to comply with any provision of this Chapter or of the Ruas and Regulations of the Boerd of Public Works pertaining thereto, shall be deemed to heve committed e Class B infraction end upon conviction thereof be subject to a fine of up to \$1,000.00 per infraction as provided by Indiane Code The installation, construction, or extension of

TUS Any gesoline, oenzene, naprna, ruel oli, mineral oil or any other flammable or explosive solid, liquid or

ges.

-104 Any noxious or malodorous gas or substence which either elone or by interaction with other wastes, is capable of creating a public nuisance or hazerd to life or of preventing entry into the sewers for their maintenence or repeir.

-105 Any garbege thet hes not been properly pretreated and reduced per Sec. 24-1-116.

-106 Any ashes, cinders, send, mud, straw, shavings, wood, metal, glass, regs, feathers, tar, plastics, peunch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference

plastics, peunch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.

-107 Any waters or wastes having a pH less then 6.0 or greater than 10.0, or heving eny other corrosive property capable of causing damage or posing hazards to the structures, equipment, or personnel of the Sewage Utility.

hazards to the structures, equipment, or personnel of the Sewage Utility.

-108 Any waters or westes conteining toxic substances, as defined under Section 307 (b) and (c) of the Cleen Water Act in sufficient quantity to interfere with the biologicel process of the Sewage Treatment Plant or that will pass through the Plant into the raceiving stream in amounts exceeding the standards sat by federel, interstate, state or other competent authority having jurisdiction, or will prevent the disposel of the sludges by the Plant in eccordance with Section 405 of said Act.

-109 Any toxic radioective isotopes, without a special permit. The radioactive isotopes of I 131 end P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Fegulations.

-110 Any waters or wastes that for a duration of 15

-110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.

solids of the user's sewage discharged during a 24 hour period of normal operation.

-111 Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to handle such materials at the Sewage Treatment Plant, its pumping stations, or othar facilities.
-112 Any weters or wastes containing incompatible pollutants as herein described.
-113 Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with tha biochemical processes of the Sewage Treatment Plent, thet will pass through the plant into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate, or local euthority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concantrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the Genarel Rules and Regulations.
-114 Any bulk waste, either industrial or domestic, without prior written epproval of tha Superintendent.
-115 The City reserves the right to refuse, deny or ravoke the connection of any user in the event the sewerege service requirements of the user, in the ludgment of the Superintendent could or would impose an excessive burden on the utility or in the event the savered service requirements of the user, in the udgment of the Superintendent could or would impose an excessive burden on the utility or in the event the savered service requirements of the user, in the udgment of the Superintendent could or would impose an excessive burden on the utility or in the event the savered service requirements of the user in the aloweble discherge received from any or all large users of the saverege system during the time of such emergency.

gency.
Sec. 24-17 Responsibility for Obstructing or Damaging Sewers

If e public sewer becomes obstructed or demaged

Damaging Sewers

If e public sewer becomes obstructed or demaged beceuse any of the aforementioned substances were improperly discharged, the person or persons rasponeible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repeiring, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.

Article IV - Control of Admissible Industrial end Commercial Wastes

Sac. 24-18. Submission of Data on Industrial Waste.

-1 Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industrial Waste Ouestionnaire, the form for which will be furnished by the City in which he shell set out the quantity end cherecteristics of the wastes discherged into the City's sewerage system. Any owner desiring to establish e new connection to the public sewer or to astablish a naw account with utility for tha purpose of discharging industrial or commercial waste shall first fill out and file with the Superintendent such e questionneire which shall set out the actual or



is of the westes to be discharged.

-2 Any person who knowingly makes any false atement representation, or certification in eny plication, report, or other document required by the unicipel ordinance or other applicable reguletions all, upon conviction be punished by the imposition of civil penalty as required by local end/or state attues.

atutes.

3 When speciel circumstances render it an reesoneble burden to comply with the time schedule termined by the Utility for the correction of any dustrial weste discharge problem, an extension of ne, not to exceed 90 days, may be granted by the iperintendent upon presentation in writing of en iplication for such relief.

Sec. 24-19. Confidential Information. Information and date furnished to the City by escharger shall be mede availeble to the public or ner governmental agency without restriction unless of discharger specifically requests end is eble to monstrate as per 40 CFR 2.203 end 330 IAC 1.5-8 that the release of such information would utige information, methods of production entitled to blection as trade secrets, or properlety information orgenismistation, memodo or production entitled to become as trade secrets, or properlety information the discherger. All requests, by the discherger, for nidentially of information shall be made in cordance to and governed by the provisions of 330 2 5 end 40 CFR 2.

Sec. 24-20. Control Manholes.

Sec. 24-20. Control Manholes.

Sec. 24-20. Control Manholes.

Any owner who discharges or may discherge lustrial wastes into a public sewer via any meens has floor dreins, sinks, catch basins, etc., shall be quired by the Superintendent to construct and intain, at his own expense, one or more control inholes, at a specified location or locetions, to illitate the observation, measurement, and sampling owner's weste. Such manholes shell be constructed iccordence with the stenderds and specifications of City. The superintendent may also require the son to instell and maintain in any such manhole, et diperson's expense, an approved volume-measuridevice. Plans and/or shop drawings for the talletion of control manholes end related equipment all be approved by the Superintendent before any struction is begun.

Sec. 24-21 Grease and Sand Traos Whenever the Superintendent determines that acceptors or treps are needed to protect the verage collection system or the Sewage Treetment int from grease, oil, send, or similer substances curring in the user's expense end shall be so intained by owner that none of such substances can cerried over into the public sewers. All traps or riceptors shall meet the City's standards as to intruction, location, and installetion.

Any industrial waste discharged into the public rer shall be subject to periodic inspections and the emination of quelity, quantity and character.

rers shall be subject to periodic inspections and the ermination of quelity, quantity and character, ne examinetion shall be made as often es the perintendent deems it appropriate and mey include use of suitable continuously monitoring instructis, in appropriate ceses. Samples shall be ected either manually or by approved mechanical rices and in such e manner as to be representative he overall composition of the wastes.

2 The Installation, operation, and maintenence of sampling facilities shall be the responsibility of the ner discharging the wastes and shall be right to the approval of the Superintendent. Access he sampling facilities shell be granted, et all times, he Superintendent.

ne sampling facilities shell be granted, the Superintendent.

a Where en owner's operations have security asures in force which require proper identification clearence before entry onto said owner's properly ranted, such owner or owners shall meke the essary arrangements with their security personnel upon showing of proper identification personnel the City shell be permitted to enter, without deley, the purpose of observing or monitoring of wastes a discharged at a given point or points hat owner or owners shall install suitable control holes outside of the security area or areas, which all times will be immediately available to personnel. all times will be immediately available to personnel. ec. 24-23. Waste Analysis Procedures and

ec. 24-23. Waste Allayana rges. aboratory procedures used in the examination of strial wastes shall be those set forth in "Standard hods" or "Guidelines Establishing Test Process for Analysis or Pollutants," as set forth in the e of Federal Regulations 40 CFR 136.

Charges to Users

Charges to Users ternate methods for certain analyses of industrial tes may be used subject to mutual agreement veen the Superintendent and the User. In the not of a dispute between the Superintendent and the est to the cheracteristics, strength, toxic nature or repriculars of the sample taken end enalyzed by City, either party may request that the semple in ute be anelyzed by a mutually acceptable referee se charges shall be paid by the party requesting analysis. Analyses made by the City at the est of the User, shall be charged to the User ording to the Utility's stendard work order billing adure. All such analyses shall be binding in rmining strength-of-waste surcharges and other ers dependent upon the charecter and concenn of wastes.

-2 Charges to Governmentel Agencies
Anelyses run by the Water Pollution Control Plant
Leboratory for eny governmental agency, or political
sub-division of e City, County or State shall be billed to
such agency or subdivision for direct labor and
expenses according to the Utilities stendard work
order billing procedure. Anelyses run for other
egencies shell not have priority over the reguler Weter
Pollution Control Plent analyses unless in the judgment
of the Superintendent the urgency of the analysis
should have such priority.
-3 Charges Collected
All waste analysis cherges collected under Section

or the Superinencem the targeticly of the analysis should have such priority.

-3 Charges Collected
All waste analysis cherges collected under Section 24-23-1 and -2 above shell be recorded as credits to the operating costs of the Weter Pollution Control Plant end e querterly eccounting thereof shell be forwarded to the Superintendent. All such cherges are to be used to defray the operations and maintenance expenses incurred by the Water Pollution Control Plant in performing said anelyses.

Sec. 24-24. Use of Representative Analysis. Until an adequate enalysis of a representative semple of user's westes has been obteined, the City mey, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that ere aveilable from the United States Environmental Protection Agency or from industry-recognized euthoritetive sources. This method, if selected by the City, shell continue at the City's pleasure or until an edequate analysis has been made.

Article V. Service Charges Based on Water Usage Sec. 24-25. Water Obtained from the City's Water Utility.

Sec. 24-25. Water Obtained from the City's Water Utility.
The charges mede for sewerege service rendered to each lot, percel of reel estate or building having any connection with the City's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers efter being used in or on the property, as the quentity is measured by the weter meter or meters there in use by the City's Water Utility, except as herein otherwise provided.

the City's Water Utility, except as nerein officientials provided.

Sec. 24-26. Water Obteined from Other Sources. Where the property obtains any part or all of the water used from sources other than the City's Weter Utility, the owner or the tenant may be required by the City to Install and maintain at his own expense e meter or meters acceptable to the City for the quantity of weter obtained from these other sources, or the City mey determine the quantity of such water by whetever means and methods it may find relevent end practicable.

means and methods it may find relevant enupracticable.

Sec. 24-27. Exempt Water - General.

Where a significant portion of the metered water
does not end cannot enter the sewerage system, either
directly or indirectly, the person having charge of the
property mey request permission from the City to
install at his own expense either an approved meter or
meters to determine the quantity of water that
cennot enter the sewerage system or an approved
sewage-meesuring device or devices to determine the
volume of sewage that actually enters the sewerage
system; when appropriate, the City reserves the right
to determine by whatever other means and methods it
may find practiceble the percentage of the
property's metered water that enters the sewerage
system. In eny case the service charge shell be based
on the quantity of water that can or actually
does enter the public sewers but in no case shall it be
less than the minimum cherge for the cless of user
served.

less that the hilliminant cherge for the class that the hilliminant cherge for the class that the hilliminant cherge to the case. Sec. 24-28. Metering of Sewage.

The City may require a person to instell and meintain at his own expense an approved device to measure directly the volumes of wastes discharged to the sewerege system if these volumes cannot otherwise be determined from the metered-water consumption records. The City shall inspect and approve such installation end no such service, once installed, shall be removed without the City's approval.

Sec. 24-29. Reserved

Article VI. User Charges

Sec. 24-30. User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for eech such classification:

Service Charge (cents per 100 cu. ft.)

Class of User, Domestic; Menufacturing, Treatment 20. 52; 20. 52. Conveyence, Collection, Billing 19.96; 13.01. Capital 12.84; 10.33. Pretreatment Administration -0-; 25.0. Total User Charge 53.32; 46.36. Sec. 24-31. User Minimum Cherges.

In the event the monthly sewage service charge celculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge in lieu of the cherge celculated based on water usage, as follows:

Water Meter Size

Minimum Monthly Charge 24-28. Metering of Sewage

Water Meter % - 34" 1 - 1½" 2" 3" 4" 6" or larger	Size	Minimum	Charge \$ 2.68 9.40 19.17 38.52 64.04 177.87
o or largor			177.87

to logned sweet service and shall only to logned sweet shall of logned sweet shall of light of the Swage Utility of the of littly dollers and each sweet the permit for a parcial six inch service. A feet of ninety dollers (\$90.00) wer tap permit for a pacieties inch service were the print of same system and a feet of ninety dollers (\$90.00) for the print of the swage service larger then the order of the swage state of the swage swa

Sec. 24-32. User Flat Charges.
In the event any user is not a metered water customer, there shall be imposed flat cherge rates as follows:

Classification of Customer, Monthly Flet Charge (1), In-City, Out-City, Domestic User-Single Femily Dwelling, \$5.33; \$6,39. Domestic User - Multi-Family Dwelling, To be estimated by City, Commercial and Industrial User, To be estimated by City, (1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly cherges. Monthly flet cherges for commerciel and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicetors; or outfail measurements where such data is aveilable.

use indicetors, or outfall measurements where such data is aveilable. The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and ediusted by the Utility et any time. However, no adjustment, edditionel charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Sec. 24-33. Contract Customers - Unit and Other Charges.

Sec. 24-33. Contract Customers

Charges.

In the event the City consummates a contract to serve as e regional treetment plant for any other municipality or privete sewage utility, either contiguous to the City or in its environs, said contract shall provide for the the following unit cherges:

-1 Volume Charge (cents per 100 cu. ft.)

Treatment

Capital Charge

-2 Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge
In addition to the foregoing charges based on volume of sewage treated and conveyed eech contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$.90.00.

-4 Excess Strength of Wastes Surcharge
In the event a contract customer contributes waste heving a strength in excess of domestic waste cheracteristics, es hereinbefore defined, e surcherge based on the following unit process charge will be in effect for all waste found to be in excess of limitetions:

Cents Per Pound

Suspended Solids - (SS) 4.304
Blochemical Oxygen Demand - (BOD) 4.300
Phosphorus - (P) 41.193
-5 Capital Surcharge
In the event contract customer delivers sewage for treetment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu, ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.
-6 Other Provisions

MGD represented by dividing actual MGD by contracted MGD.

-6 Other Provisions
In the event sewage received pursuant to any contrect entered into under this section exceeds any of the limitations imposed by this Chapter, the City shall heve the right to impose all charges, limitations and penalties applicable to any noncontract user by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact end maintain a Sewer Use Ordinance end User Charge System acceptable to the City end in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines end reguletions promulgeted thereunder by the U.S. Environmentel Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, end 35-935-13.

Sec. 24-34. Bulk Waste Charges. Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant -\$178.50 per load. For purposes of computing charges hereunder, e loed is defined as 5000 gallons of tank capacity or fraction thereof.

Domestic - For all domestic waste delivered to plent by customer's truck or tank - \$26. 10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

Sec. 24-35. Annual Review of Service Charges.

Gerind as 1,000 galants or fall appears of thereof.

Sec. 24-35. Annual Review of Service Charges.
Prior to May 1 of eech year, the General Auditor of the City Utilities and an independent certified public accountent employed for that purpose shall submit to the Board of Public Works a comparison of the calculeted unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shell determine whether the current service charges end surcharges ere adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

-1 A system including the distribution of the cost of operetion and maintenance of the treatment works of

operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Fectors such as strength, volume, and delivery flow characteristics shall be considered end included as the basis for the user's contribution to insure a proportional distribution of operation end meintenance end replacement costs to eech user class.

class,

-2 Totel annual service charges and surcharges
collected from each individual user class shall be
deemed sufficient if said charges heve genereted
during the original period sufficient constitutions.

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operation and maintanance of tha treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, end delivary flow characteristics shall be considered and included as tha basis for the user's contribution to insura a proportional distribution of operation and maintanance and raplacement costs to each user class.

-2 Total annual service charges and surcharges collected from each individual user class shall be daemed sufficient if said charges have ganerated during the prior operating parlod sufficient ravenua to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of managamant, system rapair and replacement, debt ratiramant and other costs incidental to the Utility Operation ettributable to such class.

Article VII. Strengtht-of-Wastes Surcharge.
Each user discharging wastes into the sewerage system shall be subject to a strangth-of-wastes surcharge, in addition to other sewage service chargas imposed by this ordinance, based on the following minimum strangth characteristics to the extent that such wastes are in concentrations greater than:

-1 Biochamical oxygen demand of 600 milligrams par

par litar.

-2 Chemical oxygen demand of 600 milligrams par

-3 Suspended solids content of 300 milligrams par

-2 Chemical oxygen demand of 600 milligrams par litar.

-3 Suspended solids content of 300 milligrams par liter.

-4 Phosphorus contant of 10 milligrams per liter.

Sec. 24-37. Computation of Surcharge.

The surcharga shall be determined as follows:

The excass pounds of BOD or COD (whichevar results in tha higher cherga) suspended solids, and phosphorus will aach be computed by first multiplying tha user's billing sawage voluma maasurad in units of 100 cubic feet for tha current billing period by tha factor 0.0062321 and then multiplying this product by tha difference betwean (a) tha concantrations measured in milligrams per liter of tha BOD (or COD), suspended solids, and phosphorus raspectively in the usar's sewage and (b) the allowed concantrations set out in Section 24-36. Tha surcharge for each constituent will then be determined by multiplying the axcess pounds of each constituent by the appropriate rate of surcharga set out in Section 24-33-4. In the avant COD massurement is used, as hereinbefore provided, 50 % of the excess pounds measured will be used to computa the equivalent BOD charga.

Sec. 24-38. Wasta Evaluation Chargas

All users discharging wastes into the system raquiring continuing surveillance sampling and wasta evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.

Sec. 24-39. Revision of Rates of Surcharga.

Prior to May 1 of aach year, the Genaral Auditor of the City Utilitias and an independant certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewaga Treatment Plant influent during the previous calandar year with tha unit charges currently in effect in order that tha Board may determine whather the current rates of surcharga are adequate or should be changed and raquest legislative enactment of sald changas by tha Common Council.

Article VIII. Billing of Sarvic

changes, reter changes, service atministroirs, linital billings, or is otherwise required to adjust billing cycles.

-2 Billings for sewerage service shall be randered with and shall be due and payable on the seme due date as billings for water service to the same premises, if any, and if none, than within such billing cycle as the Utility may determine.

Sec. 24-41. Liability for Paymant.

-1 Charges for sewerage service shall be billed to the parson being billed for water service, if any, unless by contract with the Utility, another person assumas rasponsibility for payment. Notwithstanding billing to, and assumption of responsibility by any parson, charges for sewerage service shall ramain the rasponsibility of the owner of the raal estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billad, including all panalties, racording feas, attorney's faes, interest and court costs, if any.

-2 The owner of the raal estate shall have the right to axamine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

-3 Nothing harein contained shall parmit the owner, or any person other than the person baing billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances, or social security number of the person balng billed.

Sec. 24-42. First Billings.

information including the income, employment, finances, or social security number of the person balng billad.

Sac. 24-42. First Billings.

Tha rates, charges and surcharges fixad in this chapter shall extend to and cover any additional premises heraaftar sarved, without hearing or notica. If the first billing to a new user covers a pariod other than a full billing month, than tha charges for sewerage service for such billing shall be made in accordance with standard practice amployed by the City's Water Utility.

Sec. 24-43. City Subject to Charges.

For sewerage service rendared to the City, or any dapartment, structure or proparty, thereof, tha City shall be subject to the sema rates and chargas harein astablished for other persons, or to rates and chargas established in harmony herawith. Sec. 24-44. Consolidation of Accounts. Whera an industrial, commarcial or other non-residential antarprisa is operating in a unified manufacturing or sarvica area composed of two or more contiguous parcals of real estate and is supplied with water through twoor mora maters, upon application by the owner or his authorized agent, a consolidation of the weter meter readings may be made for the purpose of calculating the sewerage service charge.

The City Clerk shall certify a copy of Special Ordinance No. S-233-81, enactad Octobar 28, 1981, and all amendments thereto, heretofore or hereafter

provide constructive notice to the owners and courchasers of real property in Adams Township and St. Joseph Township that a capital surcherge may nbe imposed upon properties connected to, or to be connected to, the City Utility Sawarage System, in hose areas of said townships formerly served by sawarage systems purchased or otherwise acquired by the City Utility.

Article IX. Delinquent Accounts Sec. 24-46. How Delinquencies Arise.
Charges for sewarage service leviad pursuant to this Chapter shall be due and peyable on or before the due data stated on the bill. Any charge for sawarage service not paid by the due data shall be delinquent, and may be collected, with any applied panalty, according fees, service charges, attorney's fees, ntarest and court costs, if any, in accordance with this Chapter end with Indiana Code Sactions 36-9-23-31 through 36-9-23-34. A panalty of tan parcent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

servica shall be attached to the delinquent charges.

Sec. 24-47. Collection Through Shutting Off Watar Sarvice.

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after reasonable notice to he person being billed, as provided by the Rules and Ragulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and urning on the water, shall have been paid.

Sec. 24-48. Collection Through Taminating Sewer Sarvice.

urning on the water, shall have been paid.

Sac. 24-48. Collection Through Taminating Sewer Sarvica.

In addition to all other remedies provided, the Utility nay, efter reasonable notice to the person being billed, as provided by the Buard of Works, terminate sawarage service to the property. Sewerage service shall not be restored until the delinquant account, ogather with the costs of terminating end reconnecting the sawar service, shall have been paid.

Sac. 24. 49 List of Delinquant Fees and Penalties—

Tax Duplicates—Collection.

Delinquent charges for sawerage services, and applied panaltias, racording fees, end service charges have been paid.

Sec. 24. 49 List of Delinquant Fees and Penalties—

Tax Duplicates—Collection.

Delinquent charges for sawerage services, and applied panaltias, racording fees, end service charges have been paid.

Sec. 24-50. Collection Through Court Actions.

In addition to the foragoing remadies, the Utility may ecover the amount of the charges for sewerage larvicas, panelty, and a reasonable attornay'e fee in a civil action, end may foreclose a lien asta blished by his Chapter in accordance with Indiana Coda 36-9-23-34.

Sac. 24-51. Raserved.

Article X. Accounting for Sewerage Servica Charges

Sac. 24-52. The City Controller shall astablish and

Article X. Accounting for Sewerage Servica Charges
Sac. 24-52. Tha City Controller shall astablish and naintain, for as long as user charges and surcherges ira collected undar tha rata schadule instituted arain, accounts for tha Sewage Works Improvement fund as raquirad by prior ordinances ralating to the ssuance of sewaga works ravenua bonds now outstending and further in accordance with the laws of he Stata of Indiana relativa to the deposit and lisbusement of public funds.

Sec. 24-53. Severability.

-1 The invalidity of any section, sentance, clause, paragraph, part or provision of this Ordinance which cen ba givan meaning without such Invalid part or parts.

-2 All Ordinancas or parts of Ordinancas and

r parts.

-2 All Ordinancas or parts of Ordinancas and ections of the Municipal Code of the City of Fort Wayna of 1974 in conflict herewith are hereby

-3 That this Ordinanca shall be in full force and effect rom and after its passage, any and ell necessary approval by the Mayor and due legal publication haraof.

pproval by the Mayor and due legal publication haraof.

Thomas C. Henry COUNCIL MEMBER Raed tha third tima in full and on motion by Hanry, econdad by Radd, and duly edopted, placed on its bassaga. PASSED by the following vota: Ayas: Savan, 3radbury, Eisbart, GiaQuinta, Henry, Radd, Stiar, alarico. Nays: Two, Burns, Schmidt. Data: 7-24-84, Sandra E. Kennady, City Clark Passed and adopted by the Common Council of the city of Fort Wayna, Indiana, as Ganaral Ordinance No.3-17-84 on the 24th day of July, 1984.

ATTEST: Sandra E. Kannady, City Clerk. Ban A. Eisbart, Presiding Officar. Prasentad by ma to the Mayor of the City of Fort Veyna, Indiana, on the 25th day of July, 1984, at the hour of 3:00 o'clock P.M., E.S.T.

Sandra E. Kannady, City Clerk. Approved and signed by ma this 25th day of July, 1984, at the hour of 3:00 o'clock P.M., E.S.T.

1, the Clark of the City of Fort Wayna, Indiana do laraby carlify that the abova and foragoling is a full, rue end complete copy of Ganaral Ordinance No.3-17-84, passed by the Common Council on the 24th tay of July, 1984, and that seid Ordinance was duly ligned and approved by the Mayor on the 25th day of July, 1984, and now remains on file and on record in my office.

office.
WITNESS my hand, and the official seal of the City of ort Wayna, Indiana, this 25th day of July, 1984.
SANDRA E. KENNEDY, CITY CLERK

ment imposed the first income ta

On Aug. 5 in 1861 the U.S. govern

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TOMORROW'S CALENDA!

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Fort	Wayne	Common	Council

(Governmental Unit)

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To JOURNAL-GAZETTE Dr
P.O. BOX 100
FORT WAYNE, INDIANA

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In the event sewage received pursuant ta any cantract entered into under this section exceeds any of the limitations imposed by this	7.	
Chapter, the City shall have the right to impose all charges, limita- tians and penalties opplicable to any nancantract user by the City. Each contract entered into by the City pursuant to the faregaing rate		
tem occeptable to the City and in conference with the City's obligo-	et, that the amount claimed is legally due, after allowing all just credits, a	nd that no part of the same
tions under Sec. 204(b) (1). Public Law 92-500 as amended and sup- plemented and guidelines and regulatians pramulgated thereunder by the U.S. Environmental Pratection Agency and 40 CFR 35-905-8,	Dre	esilla Roser
35-928-1 and 35-928-2, and 35-935-13. Sec. 24-34. Bulk Waste Chorges. Industrial - For all industrial waste suitable far dispasal directly		OL COL
thraugh the plant digesters which has been delivered by the Custamer ta City's plant - \$178.50 per laod. Far pur- poses of computing chorges hereunder, a laad is defined	Title	CLERK
as 5000 gollons at tank capacity or fraction thereaf.  Domestic - Far oll domestic waste delivered to plant by customer's truck or tank - \$26.10 per lood. Far purpases of comput-	PUBLISHER'S AFFIDAVIT	
ing charges hereunder, a load is defined as 1,000 gallons	na ty SS:	
All the state of the second of the state of the second of	y appeared before me, a notary public in and for Drusilla Roose	
Article IX. Delinquent Accounts Sec. 24-46. How Delinquencies Arise. Charges far sewerage service levied pursuant to this Chopter shall be	CLERK	of the
due and poyoble an ar befare the due date stated on the bill. Any charge far sewerage service nat paid by the due date shall be delinquent, and moy be callected, with any applied penalty, recarding fees,	JOURNAL-GAZETTE	
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the absence for source conice shall be attached to the deliquent	town a language in the city town of FORT WAYNE, INDIANA	
Where the praperty having a delinquent account far charges far sewer- oge service is served by the City's Water Utility, the Utility may, after	nd county aforesaid, and that the printed matter atta	• •
water service to the property. Water service sholl not be restored until	ly published in said paper for one time	, the dates of publication being
the delinquent account, tagether with the costs of turning aff and turn- ing an the water, shall have been paid.  Sec. 24-49. Callection Thraugh Terminating Sewer Service.	6/29/84	
In addition to all other remedies pravided, the Utility may, after reasonable notice to the person being billed, os provided by the Rules and Regulations of the Utility adapted by the Boord of Warks, terminate	6)4.	will M
sewerage service ta the property. Sewerage service sholl not be res- tared until the delinquent account, together with the casts af terminat- ing and reconnecting the sewer service, shall have been paid.	d sworn to me before this 29th day of June	19 84
Sec. 24.49. List of Delinquent Fees and Penalties - Tax Duplicates - Callectian. Delinquent charges for sewerage services, and applied penalties,	June M.	Jerkins
recarding fees, and service charges may be made a lien upon the praperty and may be collected in accordance with the provisions af In- diano Code 36-9-23-32 and 36-9-23-33.	Notary Pub	lic
Sec. 24-50. Collection Through Court Actions.  In addition to the foregaing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasona-	November 29, 1985	
ble attarney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.  Dated: June 26, 1984		
6—29 Sandro E. Kennedy		3° . of

### NOTICE OF HEARING ON PROPOSED RATES AND CHARGES OF

NOTICE OF HEARING ON PROPOSED
RATES AND CHARGES OF
FORT WAYNE SEWAGE WORKS

'raperty awners and ather interested parties in the City af Fort Wayne are ereby notified that an June 26, 1984, the Comman Cauncil introduced Orlinance No. G-84-06-22, thereby determining ta establish rates and harges far services to be rendered by the sewage warks. At a meeting of the Cammon Cauncil to be held at 7:30 P.M. (Fort Wayne Time) an July 10, 984, in the Council Chambers, there will be a public hearing an the matter of the rates and charges, and consideration of adoption of said Ordinance to G-84-06-22, which provides in part as follows:

Sever tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only ta licensed sewer tap cantractors, wha shall pay to the Sewage Utility a fee of fifty dallars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dallars (\$90.00) far each sewer tap permit far a special six-inch service (such as a sewer tap into a collection system manhale) and a fee af ninety dallars (\$90.00) far each sewer tap permit far a sever service larger than six inches. The aforementioned charges will apply ta similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property awner shall natify the New Water and Sewer Permit Office of such cannections sa that an inspection may be made by the Utility prior ta backfilling the said sewer installation.

Sec. 24-7. Penalty far Violatians

spection may be made by the Utility priar to adeximing the said sensinstallation.

Sec. 24-7. Penalty far Violatians

Any landowner, firm or corporation who vialates or fails to comply with any pravision of this Chapter or af the Rules and Regulatians of the Board of Public Works pertaining thereta, shall be deemed to have committed a Class 8 infraction and upan conviction thereaf be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that such violation(s) ar nancampliance continues shall constitute a separate offense.

Article VI. User Charges

Sec. 24-30. User Volume Charges.

The water usage schedule upan which charges for services rendered by the Sewer Utility shall be based an water cansumption unless atherwise metered or exempted in accardance with the fallowing user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

Class of User

Demestic Magnifacturing

	Class of User	
	Domestic	Manufacturing
Treatment	20.52	20.52
Conveyance, Callection, Billing	19.96	13.01
Capital	12.84	10.33
Pretreatment Administration	-0-	2.50
Total User Charge	53.32	46.36
Sec. 24-31. User Mi	nimum Charges	

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum manthly charge for each class of user as set farth thereafter user shall pay said minimum monthly charge in lieu af the charge calculated based on water usage, as follows:

Water Meter Size

Minimum Monthly Charge
% - 44"
\$ 2.66

9.40 19.17 38.52 6" or larger 177.87

Sec. 24-32. User Flat Charges.
In the event any user is not a metered water custamer, there shall be impased flat charge rates as fallows:

Classification of Customer

Monthly Flat Charge (1)

Classification of Customer

Classification of Customer

Monthly Flat Charge (1)

In-City Out-City

St.33 \$6.39

Domestic User - Single Family Dwelling

Domestic User - Multi Family Dwelling

Ta be estimated by City

To be

arm sever use the control of the con

Capital Charge

Capital Charge

2 Variable Charge (cents per 100 cu. ft.)

A variable charge far conveyance and collection costs attributable to the portion of the conveyance system and aperating costs associated therewith used by the contract custamer shall be computed by the City and added to the volume charge.

3 Flot Charge
In addition to the foregoing charges based an valume of sewage treated and conveyed each contract customer will pay a manthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.

4 Excess Strength af Wastes Surcharge
In the event a contract customer contributes waste having a strength in excess of damestic waste characteristics, as hereinbefare defined, a surcharge based on the fallawing unit process charge will be in effect for all waste faund to be in excess of limitations:

Cents Per Pound

4.304

5 uspended Solids - (SS)

Suspended Solids - (SS) 4.304
Biochemical Oxygen Demand - (8OD) 4.300
Phosphorus - (P) 41.193
Capital Surcharge
In the execution of the state of the

-3 Capital streams on the stream of the stream of the costs of training off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent occount, together with the casts of terminating and recannecting the sewer service, shall have been paid.

Sec. 24-49. List of Delinquent Fees and Penalties - Tax Duplicates - Collection.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the pravisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Callection Through Court Actions.

In addition to the faregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Dated: June 26, 1984
6—29

Sandra E. Kennedy

Sandra E. Kennedy

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To JOURNAL-GAZETTE D	•
P.O. BOX 100	
FORT WAYNE, INDIANA	

PUBLISHER'S CLAIM	
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	3
	207
	1
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columns wide equals	97.06
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(50 cents for each proof in excess of two) 3 extra	1.50
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Dre	willa Ross
Title	CLERK
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, CLERK	who, being dilly sworn, says
_JOURNAL-GAZETTE	
DAHY newspaper of gene	eral circulation printed and published
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and annual and a state of the s	

nty aforesaid, and that the printed matter attached hereto is a true copy,

by published in said paper for one time ....., the dates of publication being

6/29/84

nd sworn to me before this . 29th

on expires ......

Drussell 19 84 June Anne M.

Notary Public

November 29, 1985

Form Prescribed by State Board of Accounts	General Form No. 99P (Rev. 1967
Fort Wayne Common Council (Governmental Unit)	To JOURNAL-GAZETTE Dr. P.O. BOX 100
Allen County, IN	FORT WAYNE, INDIANA
PUBLISHER'S CLAI	M
LINE COUNT	
Display Matter (Must not exceed two actual lines, neither of which shall total more that of the type in which the body of the advertisement is set) - number of equivalent	n four solid lines it lines
Head number of lines	3
Body number of fines	207
Tail number of lines	1
Total number of lines in notice	211
COMPUTION OF CHARGES	
211 tines, 2 columns wide equals 422 equivalen	ut lines at 230¢ \$ 97.06
cents per line  Additional charge for notices containing rule or tabular work (50 per cent of above am	48.53
	extra 1.50
TOTAL AMOUNT OF CLAIM	s 147.09
DATA FOR COMPUTING COST	
Width of single column 9.6 picas Size of type	point
Number of insertions Size of quad upon w	hich type is cast6
Pursuant to the provision and penalties of Ch. 89., Acts 1967.	
I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after has been paid.	r allowing all just credits, and that no part of the same
	Drusilla Rosse
Date June 29 19 84	TitleCLERK
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by this Chapter in accardance with Indiana Cade 36-9-23-34.  Dated: June 26, 1984	
6—29 Sandra E. Kennedy	

Form Prescribed by State Board of Accounts		General Form No. 99P (Rev. 196
Fort Wayne Common Cou (Governmental Unit) Allen County, IN	То	NEW-SENTINEL Dr. P.O. BOX 100 RT WAYNE, INDIANA
	PUBLISHER'S CLAIM	
	stual lines, neither of which shall total more than four solid lines	
	the advertisement is set) - number of equivalent lines	
Candles		3
Paper Plates Garden Tools		207
Plastic Hangers		1
HOUSEWARES/HAI	ce	211
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Kugele	rule or tabular work (50 per cent of above amount)	48.53
spea walk sed	50 cents for each proof in excess of two) 3 extra	1.50
Toy an Figur	AIM	147.09
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Swort Troys 21		
\$ 5/101	7.	
TOYS/SPORT DEPT.	t, that the amount claimed is legally due, after allowing all just credi	ts, and that no part of the same
Mac 36	D	rusilla Roose
the Customer to City's plant - \$178.90 per load. For pur-	Title	CLERK
poses of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.  For all damestic waste delivered to plant by customer's		
truck or tank • \$26.10 per load. For purposes of comput- ing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.	PUBLISHER'S AFFIDAVIT v SS:	
Sec. 24-38. Waste Evoluation Charges  All users discharging wastes into the system requiring continuing surveil- lance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per	appeared hefore me, a notary public in and f	•
discharge point.  Article IX. Delinquent Accounts Sec. 24-46. How Delinquencles Arise.	Drusilla Roose	
Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delin-	NEWSSENTINEL	of the
quent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of	DAILY newspaper of	
the charges for sewerage service shall be attached to the deliquent charges.	language in the city town of FORT WAYNE, INDIA!	
Where the property having a delinquent account for charges for sewer- age service is served by the City's Water Utility, the Utility may, after	d county aforesaid, and that the printed matter	
and Regulotians of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the casts of turning off and turning on the water, shall have been paid.	published in said paper for	, the dates of publication being
Sec. 24-48. Collection Through Terminating Sewer Service. In addition to all other remedies provided, the Utility may, after reason-	6/29/84	1000
Regulations of the Utility adopted by the Board of Works, retrining sewerage service to the property. Sewerage service shall not be restant to the cost of terminate the delinquent account, together with the costs of terminate	Dru	silla Rome
ing and reconnecting the sewer service, shall have been paid. Sec. 24.49. List of Delinquent Fees and Penalties - Tox Duplicates - Collection. Delinquent charges for sewerage services, and applied penalties.	sworn to me before this 29th day of Ju	ine 19 84
recording fees, and service charges may be made a lien upon me property and may be collected in accardance with the provisions of In diana Code 36-9-23-32 and 36-9-23-33.	Notary Pu	alic T
Sec. 24-50. Collection Through Court Actions.  In addition to the foregoing remedies, the Utility may recover the		
ble attorney's fee in a civil action, and may to reclose a tien established by this Chapter in occordance with Indiana Code 36-9-23-34.  Dated: June 26, 1984		
6—29 Sandra E. Kerine		

Form Prescribed by State Board of Accounts	General Form No. 99P (Rev. 196
Fort Wayne Common Cour	
(Governmental Unit)	P.O. BOX 100
Allen County, IN	FORT WAYNE, INDIANA
	PUBLISHER'S CLAIM
LINE COUNT	
	tual lines, neither of which shall total more than four solid lines
Domestic User · Single Family Dwelling \$5.33 \$6.39	the advertisement is set) - number of equivalent lines
Domestic User - Multi Family Dwelling Ta be estimated by City Commercial and Industrial User To be estimated by City	3
(1) Monthly flot charges for multi-family dwellings should be based on the number of family units accommodated by the system multiplied by the single family dwelling manthly charges. Monthly flot charges for	207
commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertin-	207
ent sewer use indicators; or outfall measurements where such data is available. The utility shall retain documentation supporting its estimates and the	1
billings bosed thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, addi-	
tional charge or refund may be made more than six (6) years ofter the due date of the billing sought to be adjusted.	211
Sec. 24-33. Contract Customers - Unit and Other Charges.  In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility,	
either contiguous to the City or its environs, soid controct shall provide for the following unit charges:	
-1 Volume Charge (cents per 100 cu. ft.) Treatment Copital Charge 12.88	slumns wide equals 422 equivalent lines at 230¢ \$ 97.06
-2 Voriable Chorge (cents per 100 cu. ft.)	numns wide equals equivalent lines at
A vorioble charge for conveyonce and collection costs attributable to the partian of the conveyance system and operating costs as-	rule or tabular work (50 per cent of above amount) 48.53
socioted therewith used by the controct customer shall be computed by the City and added to the volume charge. -3 Flot Charge	1.50
In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly	0 cents for each proof in excess of two) 3 extra 1.50
billing charge of \$.60 and a monthly surveillance charge of \$90.00.  4 Excess Strength of Wostes Surcharge In the event a controct customer contributes waste having a strength	147.09
in excess of domestic woste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in ef-	
fect for all waste found to be in excess of limitations:  Cents Per Pound  Suspended Solids - (S5)  4.304	700
Biochemical Oxygen Demond · (BOD) 4.300 Phosphorus - (P) 41.193	
<ul> <li>-5 Copital Surcharge         In the event controct customer delivers sewage for treatment to City             for a period of 90 consecutive days which is in excess of base MGD.     </li> </ul>	Size of type
contracted for, then customer will be subject to on additional copital charge computed at the capital charge (per 100 cu. ft.) then in ef-	
fect times the excess percentage of MGD represented by dividing octual MGD by contracted MGD.	Size of quad upon which type is cast
-6 Other provisions In the event sewage received pursuant to ony contract entered into under this section exceeds ony of the limitations imposed by this	
Chopter, the City shall have the right to impase all charges, limita- tions and penalties applicable to any noncontract user by the City.	
Each controct entered into by the City pursuant to the foregoing rate classification shall provide that the controct customer shall agree to enact and mointain a Sewer Use Ordinance and User Charge Sys-	that the amount claimed is legally due, after allowing all just credits, and that no part of the same
tem acceptable to the City and in conference with the City's obliga- tions under Sec. 204(b) (1). Public Law 92-500 as amended and sup-	
plemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.	Marie Marie Marie Marie Marie Marie Drusilla Rosse
Sec. 24-34. Bulk Waste Charges. Industrial For all industrial waste suitable for disposal directly	
through the plont digesters which has been delivered by the Customer to City's plant - \$178.50 per load. For pur- poses of computing charges hereunder, a load is defined	Title
os 5000 gallons of tank capacity or fraction thereaf.  Domestic For all domestic woste delivered to plant by customer's	PUBLISHER'S AFFIDAVIT
truck or tonk - \$26.10 per load. For purposes of comput- ing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.	na
Sec. 24-38. Woste Evaluation Charges All users discharging wastes into the system requiring continuing surveil-	y SS:
lance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.	appeared before me, a notary public in and for said county and state, the
Article IX. Delinquent Accounts Sec. 24-46, How Delinquencies Arise.	Drusilla Roose who, being duly sworn, says
Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delin-	CLERK of the NEWS-SENTINEL
quent, and may be collected, with ony applied penalty, recording fees,	
cordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the deliquent	DAILY newspaper of general circulation printed and published
charges. Sec. 24-47. Collection Through Shutting Off Water Service.	language in the city town of FORT WAYNE, INDIANA
Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after reosonable notice to the person being billed, as provided by the Rules	d county aforesaid, and that the printed matter attached hereto is a true copy,
and Regulations of the Utility adopted by the Board of Works, shuf off water service to the property. Water service shall not be restored until	puhlished in said paper for One time , the dates of publication being
ing on the woter, shall have been paid.	
Sec. 24-48. Collection Through Terminating Sewer Service.  In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and	6/29/84
Regulations of the Utility adopted by the Board of Works, ferminate sewerage service to the property. Sewerage service shall not be res-	Drusilla Rosse
tored until the delinquent occount, together with the costs of terminating and reconnecting the sewer service, shall have been paid.  Sec. 24.49. List of Delinquent Fees and	sworn to me before this 29th day of June 19 84
Penolties - Tax Duplicates - Collection.  Delinquent charges for sewerage services, and applied penalties,	sworn to me before this day of 19
recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of In-	Notary Public
diana Code 36-9-23-32 and 36-9-23-33. Sec. 24-50. Collection Through Court Actions. In addition to the foregoing remedies, the Utility may recover the	November 29, 1985
amount of the charges for sewerage services, penalty, and a reasona- ble ottorney's fee in a civil action, and may foreclose a lien established	
by this Chopter in accordance with Indiana Code 36-9-23-34.  Dated: June 26, 1984  629  Sandra E. Kenned	dy
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